

Estates.	Whole amount of receipts.		Whole disbursements.		Balance.	Portion of balance applicable to dividends now payable.	Net balance.	Transfers to unclaimed dividend account under Rule 175 of the P. T. I. Act of 1909.	Probable outcome of the dependents.
	Rs.	A. P.	Dividends paid.	Other payments.	Rs.	A. P.	Rs.	A. P.	
Ram Prosad Mullick (85 of 1923)	800	0 0	...	773 11 0	26	5 0	16	5 0	No thing further recoverable.
Rani Sundari Dasi (148 of 1923)	Rs. 500 represents advance from W. D. R. account.	...	...	...	...	...	...	...	...
Raj Kumar Mookerjee (162 of 1923)	50	0 0	2,949	7 9	10	8 0	20	8 0	...
Raj Kumar Bhattacharjee (211 of 1923)	6,237	4 0	...	39 8 0	2,795	12 0	1,253	2 11	...
Rigby, Lionel Woodward (212 of 1923)	50	0 0	...	12 0 6	37	15 6	37	15 6	...
Ravji Raghavji & Co. (221 of 1923)	50	0 0	...	10 0 0	40	0 0	40	0 0	...
Ram Gopal Lakhotia	50	0 0	...	...	50	0 0	50	0 0	...
Ram Bux Ram Narain	50	0 0	...	2 8 0	47	8 0	47	8 0	...
Ram Deo Brojo Mohun and Jowala Prosad (236 of 1923)	50	0 0	...	2 8 0	47	8 0	47	8 0	...
Rai Churn Biswas & Co. (249 of 1923)	50	0 0	...	21 4 0	28	12 0	28	12 0	...
Ram Narain Mathar (21 of 1924)	50	0 0	...	21 15 0	28	1 0	28	1 0	...
Ram Kissen Das Dalmia	391	8 0	...	36 13 2	354	10 10	354	10 10	...
Ram Kissen Joydoyal (84 of 1924)	50	0 0	...	...	50	0 0	50	0 0	...
Ramnivas Serowgee (Sewdutt Roy Ramnivas (61 of 1924)	1,592	15 0	...	171 5 3	1,421	9 9	1,421	9 9	...
Rdorieks, George (77 of 1923)	1,245	3 3	...	96 3 7	1,148	15 8	1,148	15 3	...
Rajrup Mangal Chaud (78 of 1924)	50	0 0	...	22 4 0	27	12 0	27	12 0	...
Ram Chunder Ghose (92 of 1924)	1,192	10 9	...	465 15 1	726	11 8	726	11 8	...
Rash Behary Dey (101 of 1924)	50	0 0	...	26 8 0	23	8 0	23	8 0	...
Ram Kissen (133 of 1924)	54	4 0	...	25 6 10	28	13 2	28	13 2	...
Rena, John (152 of 1924)	65	0 0	...	59 10 0	5	6 0	5	6 0	...
Ram Protap Poddar	61	8 0	...	50 4 8	11	3 4	11	3 4	...
Ram Doyal Roy (170 of 1924)	60	0 0	...	45 1 0	14	4 0	14	4 0	...
Ryan, Daniel O'Connell (174 of 1924)	50	0 0	...	19 3 0	30	13 0	30	13 0	...
Ram Lal Mali	2,658	7 0	2,293	0 0	149	4 3	149	4 3	...
Ram Lal Bolaki Das (184 of 1924)	50	0 0	...	216 2 9	25	12 0	25	12 0	...
Ram Lal Shaw (7 of 1925)	50	0 0	...	24 4 0	30	2 0	30	2 0	...
Rodrigues James Sebastian	50	0 0	...	19 14 0	29	12 0	29	12 0	...
Ramesur Jhabarnull and Pralhad Roy (27 of 1925)	50	0 0	...	20 4 0	10	8 6	10	8 6	...
Ram Khelwan Harangi Lall (45 of 1925)	16,178	11 9	...	39 7 6	14,214	10 3	14,214	10 3	...
Rogers, Frederic Campbell (53 of 1925)	150	2 0	...	1,964 1 6	107	5 11	107	5 11	...
Rakhal Chandra Dawn	50	0 0	...	42 12 1	14	2 0	14	2 0	...
Routhmull Luma (116 of 1919)	7,877	1 6 6	180	0 0	6,121	5 8	6,121	5 8	...
Rayfield James Henry (230 of 1915)	14	2 0	...	1,575 11 10	13	2 0	13	2 0	...
Rajani Kanta Nath and another (13 of 1917)	41	6 6	...	1 0 0	37	5 6	37	5 6	...
Rangopal Karniani (84 of 1916)	14	10 0	...	4 1 0	9	11 10	9	11 10	...
Radha Kishore Kar (15 of 1917)	27	6 11	...	4 14 2	23	5 8	23	5 8	...
Rasomoya Das (135 of 1925)	24	0 0	...	4 14 2	19	1 10	19	1 10	...
Ram Narain Agarwalla alias Narain Das	50	0 0	...	28 0 0	22	0 0	22	0 0	...
Agarwalla (35 of 1917)	25	0 2	...	4 14 2	20	2 0	20	2 0	...

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	Rs.	A. P.	Dividends paid.	Other payments.	Rs.	A. P.	Rs.	A. P.	
Ram Coomar Harialka (45 of 1920)	31	8 0	1 12 7	29	11 5	29	11 5	Outstanding in course of recovery.
Radha Ramon Seal (157 of 1926)	50	0 0	....	....	50	0 0	50	0 0	Ditto.
Sew Charan Sing	1,081	12 9	578 6 9	83 8 5	419	13 7	158	4 7	Nothing further recoverable.
Shaik Azizuddin	1,041	7 3	....	402 7 9	638	15 6	638	15 6	Ditto.
Sarkes, S. J.	17,698	4 9	....	1,738 6 0	15,959	14 9	15,959	14 9	Ditto.
Sophianopolos, J. G.	838	12 0	188 8 8	108 11 0	541	8 4	42	12 9	Ditto.
Sewprosad Johurmull and Khetromull (Loonkuru Jaliram)	19,848	11 3	7,956 10 11	5,666 8 2	6,225	8 2	610	11 1	Ditto.
Soler, Henry Eustace	402	8 9	....	108 1 0	294	7 9	294	7 9	Ditto.
Sew Saran and others	616	2 6	....	608 14 6	7 4 0	....	....	....	Ditto.
Sarat Chunder Bose	528	4 5	....	53 1 1	475	3 4	475	3 4	Ditto.
Soojanmull Bachawat and others	7,458	13 9	6,095 2 6	947 5 1	416	6 2	101	6 2	Ditto.
Syed Bux	767	9 3	....	401 12 9	365	12 6	365	12 6	Ditto.
Seetul Prosad Raj Kumar	2,778	9 9	....	2,570 11 6	207	14 3	207	14 3	Ditto.
Surendra Kumar Deb Roy	167	0 0	....	36 15 1	130	0 11	130	0 11	Ditto.
Soogun Chand Mundra and others (Jesroop Juggernath)	5,726	5 1	964 1 6	2,916 0 7	1,846	3 0	808	3 2	Ditto.
Surendro Nath Pal	610	0 0	....	61 11 0	548	5 0	548	5 0	Ditto.
Soresh Chandra Gooyee and others	878	6 9	....	726 8 3	151	14 6	151	14 6	Ditto.
Soorajmull Surana	650	0 0	....	56 12 0	593	4 0	593	4 0	Ditto.
Shaik Mohamed Ahmed and Abdul Ghooffur	20,272	5 10	12,178 4 2	3,622 6 2	4,471	11 6	3,197	14 8	Ditto.
Sayed Velayet Ali	4,567	4 2	2,253 7 10	592 15 9	1,720	12 7	1,668	15 7	Ditto.
Shaillessur & Co.	2,004	14 2	....	538 5 4	1,466	8 10	1,466	8 10	Ditto.
Safoda Prosad Daw	2,187	3 0	848 9 2	366 1 4	972	8 6	165	2 0	Ditto.
Salt, W. R.	3,650	0 0	1,284 11 0	2,025 15 0	339	6 0	172	10 0	Ditto.
Shamsuddin Khoja Mehta Mamma	188	11 0	....	13 4 11	175	6 1	175	6 1	Ditto.
Sunder Prosad Kulwar	1,284	14 5	....	496 13 11	788	0 6	788	0 6	Ditto.
Sew Narain Mahata and others (Dhanraj Mahata)	1,276	15 6	829 8 3	447	7 3	447	7 3	Ditto.

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	Rs.	A. P.	Dividends paid.	Other payments.	Rs.	A. P.	Rs.	A. P.	
Suprovar Das (159 of 1918) ..	927	7 6	65	0 0	639	15 3	639	15 3	Nothing further recoverable. Ditto.
Suresh Krishna Bose (21 of 1918) ..	330	0 0	...	73	9 0	256	7 0	...	Ditto.
Sattya Churn Dey (49 of 1919) ..	184	10 9	...	35	13 2	148	13 7	...	Ditto.
Satis Chandra Dey Mullick (61 of 1919) ..	910	0 0	...	800	10 6	109	5 6	...	Ditto.
Sattya Hari Dutt ..	50	0 0	...	32	3 0	17	13 0	17 13 0	Ditto.
Soshi Bhushan Shee ..	50	0 0	...	38	12 6	11	3 6	11 3 6	Ditto.
Seldana Joseph Manuel ..	50	0 0	...	46	12 0	3	4 0	3 4 0	Ditto.
Sujanmull Surana ..	50	0 0	...	23	13 0	26	3 0	26 3 0	Ditto.
Sree Gopal Kotary ..	50	0 0	...	34	15 6	15	0 6	15 0 6	Ditto.
Shib Gobind Chowdry (29 of 1920) ..	86	11 10	...	76	15 10	9	12 0	...	Ditto.
Seth Mohadeb Lall Agarwalla (Mohadeb Lall Poddar) (132 of 1920) ..	50	0 0	...	21	0 1	28	15 11	...	Outstanding in course of recovery.
Suttvendro Nath Dutt ..	50	0 0	...	24	15 0	25	0 6	25 0 6	Ditto.
Spears Richard Munro ..	60	0 0	...	41	15 0	18	1 0	18 1 0	Ditto.
Surajmull Thakursi Das ..	3,690	14 3	...	3,151	9 3	539	5 0	...	Ditto.
Sanat Kumar Ghosal ..	50	0 0	...	24	11 6	25	4 6	25 4 6	Ditto.
Satis Chander Roy and another ..	23,999	15 0	159	15 6	11,620	6 0	12,219	9 6	Ditto.
Shaik Nazibulla Shaik Muslim ..	50	0 0	...	23	0 6	26	15 6	...	Ditto.
Subodh Chander Mookerjee ..	50	0 0	...	19	12 0	30	4 0	30 4 0	Ditto.
Stall Charles John ..	50	0 0	...	21	12 0	28	4 0	28 4 0	Ditto.
Surji Prosad ..	50	0 0	...	19	4 0	30	12 0	30 12 0	Ditto.
Sew Narain and another ..	399	7 0	...	55	8 3	343	14 9	343 14 9	Ditto.
Sew Naran and Nagoremull ..	50	0 0	...	...	...	50	0 0	...	Ditto.
Shayama Das Banerjee ..	988	11 6	...	80	14 1	907	13 5	907 13 5	Ditto.
Seldana A. F. ..	5,735	9 3	1,074	13 8	5,413	1 4	1,226	5 8	Ditto.
Sewjiram Mughiram ..	53,782	2 6	...	53,296	12 3	485	6 3	No. 2.	Ditto.
Shew Nayek Shah Teli ..	50	0 0	...	20	4 0	29	12 0	29 12 0	Ditto.
Sagoremull Hanomanbux ..	1,058	0 0	...	164	2 4	893	13 8	...	Ditto.
Surajbhan Khettry Choremull Khettry (Surajbhai Mull Chand) ..	772	12 9	...	610	9 11	162	2 10	...	Ditto.
Santoke Chand Routhmull and Mungle Chand (Sirdarmull Laksmi Chand) ..	50	0 0	...	2	8 0	47	8 0	...	Ditto.
Surendro Nath Bose (130 of 1920) ..	150	7 3	...	50	2 4	100	4 11	...	Nothing further recoverable.
Sewruthan Purohit ..	50	0 0	...	31	15 0	18	1 0	18 1 0	Ditto.
Spratt Archibald Thomas ..	50	0 0	...	25	12 0	24	4 0	24 4 0	Ditto.
Shamji Rowji & Co. ..	64,810	0 9	32,531	7 3	16,413	2 0	10,067	6 3	Ditto.
Staynor John Birnard ..	7,825	0 0	6,144	5 5	464	9 6	1,108	9 3	Ditto.
Syed Ahmedul Musavi Maray ..	50	0 0	...	41	0 0	9	0 0	No. 2.	Ditto.
Sultan Zia ..	375	2 0	...	56	2 1	318	15 11	9 0 0	Ditto.
Surajmull Serowgi ..	50	0 0	...	14	4 0	35	12 0	35 12 0	Ditto.

Estate.	Whole amount of receipts.	Whole disbursements.		Balance.	Portion of balance applicable to dividends now payable.	Net balance.	Transfers to unclaimed dividend account under rule 175 of the P. T. I. Act of 1909.	Probable outturn of the dependencies.
		Dividends paid.	Other payments.					
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Sourendro Nath Kundu (173 of 1922)	75 0 0	....	54 14 0	20 2 0	....	20 2 0	....	Nothing further recoverable.
Sandys, Edwin Francis	3,967 10 0	2,622 15 3	289 15 0	1,054 11 9	....	....	1,002 1 8	Ditto.
Saligram Gouri Sunkur	50 0 0	....	22 4 0	27 12 0	....	27 12 0	No. 2. E. B.—52 10 1	Ditto.
Shaik Mahorred Ismail Chandra (189 of 1922)	2,276 12 3	....	829 9 7	1,447 2 8	....	1,447 2 8	....	Ditto.
Sarada Prosad Pal (200 of 1920)	50 0 0	....	42 12 0	7 4 0	....	7 4 0	....	Ditto.
Sham Prosad Mullick	63 0 0	....	50 5 0	12 11 0	....	12 11 0	....	Ditto.
Syed Ahmed Shirazi (205 of 1922)	50 0 0	....	47 0 10	2 15 2	....	2 15 2	....	Ditto.
Sree Kissen Bhutier (168 of 1922)	50 0 0	....	26 8 0	23 8 0	....	23 8 0	....	Ditto.
Sukumar Sen (222 of 1922)	70 0 0	....	48 4 0	20 12 0	....	20 12 0	....	Ditto.
Sagorenull Dhanuka (12 of 1923)	50 0 0	....	30 14 0	19 2 0	....	19 2 0	....	Outstanding in course of recovery.
Soshi Bhushan Das (236 of 1922)	325 0 0	....	58 12 11	266 3 1	....	266 3 1	....	Ditto.
Sookias, Mackeritto Bethlehem (234 of 1922)	50 0 0	....	37 14 0	12 2 0	....	12 2 0	....	Ditto.
Sattya Charan Nath (238 of 1922)	1,407 10 9	....	150 3 1	1,257 7 8	....	1,257 7 8	....	Ditto.
Sree Lal Bagla (2 of 1923)	50 0 0	....	19 0 0	31 0 0	....	31 0 0	....	Ditto.
Sital Sha (10 of 1923)	50 0 0	....	29 7 0	20 9 0	....	20 9 0	....	Ditto.
Shaik Durgbai (15 of 1923)	50 0 0	....	21 12 0	28 4 0	....	28 4 0	....	Ditto.
Sree Gobind Chowdury and Surendro Lal Shaw (17 of 1923)	50 0 0	....	39 0 0	11 0 0	....	11 0 0	....	Ditto.
Sami Ahmad (35 of 1923)	50 0 0	....	41 6 0	8 10 0	....	8 10 0	....	Ditto.
Suprabhat Chandra (38 of 1923)	50 0 0	....	27 8 0	22 8 0	....	22 8 0	....	Ditto.
Sarat Chandra Roy and others (162 of 1917)	10 0 0	....	6 12 0	3 4 0	....	3 4 0	....	Ditto.
Sitaran Sonar (46 of 1923)	50 0 0	....	18 12 0	31 4 0	....	31 4 0	....	Ditto.
Smith, George Henry (59 of 1923)	50 0 0	....	38 8 0	11 8 0	....	11 8 0	....	Ditto.
Stubbs, Alfred William (53 of 1923)	61 0 0	....	57 10 0	3 6 0	....	3 6 0	....	Ditto.
Sidhakaran (67 of 1923)	50 0 0	....	37 6 0	12 10 0	....	12 10 0	....	Ditto.
Sober, Frederick William (70 of 1923)	50 0 0	....	29 8 0	20 8 0	....	20 8 0	....	Ditto.
Srish Chandra Kundoo and others (75 of 1923)	741 4 5	....	66 10 0	674 10 5	....	674 10 5	....	Ditto.
Soogun Chand and another (79 of 1923)	50 0 0	....	39 1 0	10 15 0	....	10 15 0	....	Ditto.
Shaik Raja Meah (99 of 1923)	57 0 0	....	50 0 0	6 15 5	....	6 15 5	....	Ditto.
Shibo Prosad Bhakut (102 of 1923)	50 0 0	....	23 8 0	26 8 0	....	26 8 0	....	Ditto.
Shama Churn Pramanick (104 of 1923)	50 0 0	....	36 6 0	13 10 0	....	13 10 0	....	Ditto.
Satis Chandra Ganguly (S. C. Gangooly & Co.)	50 0 0	....	26 12 0	23 4 0	....	23 4 0	....	Ditto.
Shew Chand Roy Baijnath (110 of 1923)	50 0 0	....	27 8 0	22 8 0	....	22 8 0	....	Ditto.
Sheokaran and others (113 of 1923)	50 0 0	....	21 0 0	29 0 0	....	29 0 0	....	Ditto.
S. uthwell, Philip William (117 of 1923)	1,100 0 0	....	87 8 0	1,012 8 0	....	1,012 8 0	....	Ditto.
Suresh Chandra Chandra (121 of 1923)	50 0 0	....	31 12 0	18 4 0	....	18 4 0	....	Ditto.
Smith, Keith Baird (139 of 1923)	50 0 0	....	46 8 0	3 8 0	....	3 8 0	....	Ditto.
Shaik R. him Bux (136 of 1923)	50 0 0	....	25 4 0	24 12 0	....	24 12 0	....	Ditto.
Sealy, D. C. (145 of 1923)	279 6 1	....	69 15 4	209 6 9	....	209 6 9	....	Ditto.

Seddon, S. K. and Sasti Kinker Banerjee (Seddan & Co.) ..	50 0 0	....	50 0 0	....	50 0 0	....	50 0 0	....	Ditto.
Suprasanna Roy Chowdry (187 of 1923) ..	50 0 0	....	25 4 0	....	25 4 0	....	25 4 0	....	Ditto.
Satya Ranjan Pal (184 of 1923) ..	50 0 0	....	8 12 0	....	41 4 0	....	41 4 0	....	Ditto.
Satis Chander Ghose and Susil Kumar Audhikary (143 of 1923) ..	4,381 9 0	....	296 4 1	....	4,085 4 11	....	4,085 4 11	....	Ditto.
Surendra Nath Chakraborty (168 of 1923) ..	50 0 0	....	10 6 0	....	39 10 0	....	39 10 0	....	Ditto.
Surendro Nath Seal (171 of 1923) ..	697 8 6	....	44 6 0	....	653 2 6	....	653 2 6	....	Ditto.
Suttyendro Chandra Sen and Suresh Chander Chuckerbutty ..	50 0 0	....	....	....	50 0 0	....	50 0 0	....	Ditto.
Sikdar & Co. (73 of 1923) ..	849 8 0	....	469 11 6	....	379 12 6	....	279 12 6	....	Ditto.
Rs. 401-15 re- presents advance from U. D. R. account.									
Shaik Serajuddin (Mahamed Ibrahim (182 of 1923) ..	8,563 2 4	....	1,022 9 4	....	7,540 9 0	....	7,540 9 0	....	Ditto.
Satis Chandra Mozumdar ..	50 0 0	....	....	....	50 0 0	....	50 0 0	....	Ditto.
Shand, Theodore Auguste (192 of 1923) ..	50 0 0	....	25 8 0	....	24 8 0	....	24 8 0	....	Ditto.
Sheokaram and Munna Lall (23 of 1923) ..	147 4 0	....	19 1 9	....	128 2 3	....	128 2 3	....	Ditto.
Sohun Lall Agarwalla (213 of 1923) ..	50 0 0	....	11 4 0	....	38 12 0	....	38 12 0	....	Ditto.
Swinton, Bertan Evelyn (215 of 1923) ..	190 0 0	....	39 8 0	....	150 8 0	....	150 8 0	....	Ditto.
Soshee Bhusan Bhattacharjee (95 of 1918) ..	1,053 5 1	....	533 4 11	....	520 0 2	....	520 0 2	....	Ditto.
Slade, A. H. Kenyan ..	50 0 0	....	....	....	50 0 0	....	50 0 0	....	Ditto.
Sukdeo and Suraj Prosad (273 of 1923) ..	82 0 0	....	45 8 4	....	36 7 8	....	36 7 8	....	Ditto.
Samilla Fabio ..	50 0 0	....	37 15 6	....	12 0 6	....	12 0 6	....	Ditto.
Saligram Khurana (242 of 1923) ..	3,705 10 6	....	469 5 0	....	3,236 5 6	....	3,236 5 6	....	Ditto.
Sewnarain Har Chand Roy (22 of 1924) ..	644 12 0	....	59 13 9	....	584 14 3	....	584 14 3	....	Ditto.
Sarat Chandra Das (254 of 1923) ..	50 0 0	....	23 12 0	....	26 4 0	....	26 4 0	....	Ditto.
Sree Gopal Ram Nivash (258 of 1923) ..	302 4 0	....	34 11 9	....	267 8 3	....	267 8 3	....	Ditto.
Sital Chunder Dey & Co. (Suren- dr, Nath Dey (262 of 1923) ..	262 0 0	....	212 0 0	....	50 0 0	....	50 0 0	....	Ditto.
Surendra Nath, Basanta Kumar and No- gendra Kumar Naik (7 of 1924) ..	29,989 9 3	....	4,252 5 4	....	25,737 3 11	....	25,737 3 11	....	Ditto.
Sudhir Krishna Roy ..	50 0 0	....	41 0 0	....	9 0 0	....	9 0 0	....	Ditto.
Shamjee Nagjee Bhatia (18 of 1924) ..	50 0 0	....	19 15 0	....	30 1 0	....	30 1 0	....	Ditto.
Shew Pattur Shaha ..	50 0 0	....	17 8 0	....	32 8 0	....	32 8 0	....	Ditto.
Shaik Mazharul Huq (35 of 1924) ..	58 8 0	....	37 7 0	....	21 1 0	....	21 1 0	....	Ditto.
Saradindu Bhattacharjee (52 of 1924) ..	50 0 0	....	25 8 0	....	24 8 0	....	24 8 0	....	Ditto.
Serrao, Albert Francis (55 of 1924) ..	50 0 0	....	23 15 6	....	26 0 6	....	26 0 6	....	Ditto.
Soviel, William Henry (60 of 1924) ..	100 0 0	....	51 8 0	....	48 8 0	....	48 8 0	....	Ditto.
Sada Shib Bajpai (67 of 1924) ..	560 8 0	386 0 0	154 8 9	....	19 15 3	....	19 15 3	....	Ditto.
Sadhu Churn Roy Chowdry (81 of 1924) ..	50 0 0	....	20 15 6	....	29 0 6	....	29 0 6	....	Ditto.
Shaik Nazir Ahmed (70 of 1924) ..	126 4 0	....	39 7 0	....	86 13 0	....	86 13 0	....	Ditto.
Subal Chandra Seal (73 of 1924) ..	70 0 0	....	51 7 0	....	18 9 0	....	18 9 0	....	Ditto.
Sova Chand (84 of 1924) ..	50 0 0	....	18 8 0	....	31 8 0	....	31 8 0	....	Ditto.
Soshi Bhusan Dutt and Panchu Gopal Dutt ..	50 0 0	....	11 4 0	....	38 12 0	....	38 12 0	....	Ditto.
Shaik Tufani and another (103 of 1924) ..	167 8 0	....	43 8 6	....	123 15 6	....	123 15 6	....	Ditto.
Shibo Prosad Sarkar (99 of 1924) ..	275 0 0	....	72 14 0	....	202 2 0	....	202 2 0	....	Ditto.
Surendro Mohun Sinha (117 of 1924) ..	50 0 0	....	20 7 0	....	29 9 0	....	29 9 0	....	Ditto.
Suresh Chunder Chuckerbutty and Suttyendro Chandra ..	50 0 0	....	....	....	50 0 0	....	50 0 0	....	Ditto.
Sangui & Co. R. (126 of 1924) ..	167 8 0	....	69 11 6	....	97 12 6	....	97 12 6	....	Ditto.
Shibo Prosanno Auddy (129 of 1924) ..	50 0 0	....	43 12 0	....	6 4 0	....	6 4 0	....	Ditto.
Saradindu Bose (145 of 1924) ..	50 0 0	....	24 12 0	....	25 4 0	....	25 4 0	....	Ditto.

Estates.	Whole amount of receipts.		Whole disbursements.		Balance.		Portion of balance applicable to dividends now payable.	Net balance	Transfers to unclaimed dividend account under Rule 175 of the P. T. I. Act of 1909.	Probable outcome of the dependences.
	Rs.	A. P.	Dividends paid.	Other payments.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
Sree Ram Pandit (150 of 1924)	50	0 0	....	25 15 0	24	1 0	....	24	1 0	Outstanding in course of recovery.
Seaton, Alfred Edward (158 of 1924)	174	12 3	....	154 12 8	19	15 7	....	19	15 7	Ditto.
Stanislaus, Ernest Joseph (156 of 1924)	50	0 0	....	43 8 0	6	8 0	....	6	8 0	Ditto.
Sasti Kinker Banerjee	230	0 0	....	137 11 8	92	4 4	....	92	4 4	Ditto.
Sandison, J. J. (188 of 1924)	130	0 0	....	116 7 6	13	8 6	....	13	8 6	Ditto.
Satyendro Chunder Soor	335	4 0	....	55 10 8	279	9 4	....	279	9 4	Ditto.
Solomon Joseph, and another (191 of 1924)	70	0 0	....	56 15 0	13	1 0	....	13	1 0	Ditto.
Shib Chunder Dey (202 of 1924)	50	0 0	....	23 3 0	26	13 0	....	26	13 0	Ditto.
Sevalli Takatnuli (210 of 1924)	14,550	0 0	....	12,002 12 9	2,487	3 3	....	2,487	3 3	Ditto.
Sacchidanando Bagchi (211 of 1924)	650	0 0	....	58 13 9	591	2 3	....	591	2 3	Ditto.
Satish Chunder Pal (229 of 1924)	50	0 0	....	42 11 0	7	5 0	....	7	5 0	Ditto.
Subalak Chunder Pal (232 of 1924)	50	0 0	....	34 10 0	15	6 0	....	15	6 0	Ditto.
Satish Chunder Banerjee (231 of 1924)	1,781	4 0	....	627 0 1	1,154	3 11	....	1,154	3 11	Ditto.
Sutendro Nath Roy (9 of 1925)	50	0 0	....	21 0 0	29	0 0	....	29	0 0	Ditto.
Sudhir Kumar Gupta (240 of 1924)	50	0 0	....	21 8 0	28	8 0	....	28	8 0	Ditto.
Sewnarain (6 of 1925)	50	0 0	....	27 8 0	22	8 0	....	22	8 0	Ditto.
Sudhir Kumar Dawn (248 of 1924)	326	14 0	....	80 13 5	246	0 7	....	246	0 7	Ditto.
Sreenivas Das Sureka (56 of 1925)	50	0 0	....	19 15 0	30	1 0	....	30	1 0	Ditto.
Sumermull Parekh and Panna Lal Parekh (38 of 1925)	600	0 0	....	57 14 0	542	2 0	....	542	2 0	Ditto.
Sita Nath Ghose (42 of 1925)	50	0 0	....	50 14 0	0	14 0	Dr. Balance	....	....	Ditto.
Solomon Hillali Elias and others (63 of 1925)	50	0 0	....	....	50	0 0	....	50	0 0	Ditto.
Sutha Pestonjee Byronji (46 of 1925)	50	0 0	....	39 8 0	10	8 0	....	10	8 0	Ditto.
Surendro Lal Chatterjee (49 of 1925)	51	15 2	....	25 13 6	26	1 8	....	26	1 8	Ditto.
Sudhir Ranjan Roy (65 of 1925)	520	4 0	....	96 0 11	424	3 1	....	424	3 1	Ditto.
Sreenivash Harilalka (72 of 1925)	50	0 0	....	19 4 0	30	12 0	....	30	12 0	Ditto.
Sosadhar Shaw (69 of 1925)	50	0 0	....	34 9 0	15	7 0	....	15	7 0	Ditto.
Stephen, Mrs. Margaret Anne (79 of 1925)	50	0 0	....	43 12 0	6	4 0	....	6	4 0	Ditto.
Shish Chander Dawn (110 of 1925)	256	0 0	....	74 5 0	181	11 0	....	181	11 0	Ditto.
Sumermull Bothra	50	0 0	....	....	50	0 0	....	50	0 0	Ditto.
Sunanda Chunder Sen	610	0 0	31 14 6	95 11 0	482	6 6	192 8 0	289	14 6	Ditto.
Sugan Chand Ram Chandra	663	10 0	....	72 1 1	591	8 11	....	591	8 11	Ditto.
Sealy, Albert Edward (115 of 1925)	50	0 0	....	43 12 0	6	4 0	....	6	4 0	Ditto.
Shakur Khan (128 of 1925)	50	0 0	....	21 12 0	28	4 0	....	28	4 0	Ditto.
Surajmull and Mohan Lal (132 of 1925)	68	8 0	....	23 9 5	44	14 7	....	44	14 7	Ditto.
Sundermull (139 of 1925)	2,179	4 0	....	183 6 11	1,995	13 1	....	1,995	13 1	Ditto.
Sreenath Mandal (164 of 1914)	40	6 2	....	4 1 0	36	5 2	....	36	5 2	Ditto.
Shama Churn Bhur and others (7 of 1916)	33	1 0	....	4 1 0	29	0 0	....	29	0 0	Ditto.
Soshee Bhusun Sen (29 of 1916)	16	7 0	....	4 0 11	12	6 1	....	12	6 1	Nothing further recoverable.
Starling, Edwin Joseph (44 of 1916)	26	4 0	....	4 0 11	22	3 1	....	22	3 1	Ditto.
Satowry Pal (58 of 1916)	42	1 0	....	4 0 11	38	0 1	....	38	0 1	Ditto.
Surendra Mohan Bose (110 of 1916)	42	10 0	....	4 1 2	38	8 10	....	38	8 10	Ditto.
Sripati Gangooly (134 of 1925)	51	0 0	....	39 0 0	12	0 0	....	12	0 0	Ditto.
Sibokally Manna	47	8 0	....	34 8 0	13	0 0	....	13	0 0	Ditto.

Sew Nund Roy Kedar Nath (5 of 1925)	19,342 12 2	2,188 6 4	17,154 5 10	17,154 5 10	Outstanding in course of recovery.
Shrager, A. L. (11 of 1925)	50 0 0	....	50 0 0	50 0 0	Ditto.
Shaik Ghaffur and Shaik Moulabux (11 of 1925)	50 0 0	25 12 0	24 4 0	24 4 0	Ditto.
Surendra Nath Nundy and others (16 of 1925)	50 0 0	31 13 0	18 3 0	18 3 0	Ditto.
Suttiya Kinkar Mullick alias S. K. Mullick (73 of 1925)	50 4 0	39 12 0	10 8 0	10 8 0	Ditto.
Sew Dutt Rai Nanukram Mohadeo (39 of 1925)	50 0 0	22 4 0	27 12 0	27 12 0	Ditto.
Sunder Lall Bagri (154 of 1925)	50 0 0	39 4 0	10 12 0	10 12 0	Ditto.
Shea, Mrs. Rebecca (156 of 1925)	50 0 0	39 4 0	10 12 0	10 12 0	Ditto.
Shaik Rasul Bux (167 of 1925)	50 0 0	42 0 0	8 0 0	8 0 0	Ditto.
Shea, Henry Walter (162 of 1925)	75 0 0	63 0 0	12 0 0	12 0 0	Ditto.
Sree Kissen Bajpai (164 of 1925)	50 0 0	18 0 0	32 0 0	32 0 0	Ditto.
Sherringham, J. J. (11 of 1917)	26 4 0	4 14 2	21 5 10	21 5 10	Ditto.
Shermull Nahata (185 of 1925)	50 0 0	38 3 6	11 12 6	11 12 6	Ditto.
Soorajmull Hirawat (17 of 1917)	34 0 0	4 14 2	29 1 10	29 1 10	Ditto.
Sew Prosad Biswaswar Lall (193 of 1925)	50 0 0	22 6 0	27 10 0	27 10 0	Ditto.
Sarat Kumar Mitter	21 4 0	4 14 2	16 5 10	16 5 10	Ditto.
Soogun Chand Begani (119 of 1916)	63 4 5	4 0 4	59 4 1	59 4 1	Ditto.
Sultoon, R. J. (71 of 1917)	22 12 0	4 14 1	17 13 11	17 13 11	Ditto.
Stroud, Arthur Graham (150 of 1916)	29 5 0	4 0 5	25 4 7	25 4 7	Ditto.
Shib Das Chatterjee (75 of 1917)	20 10 0	4 14 1	15 11 11	15 11 11	Ditto.
Syed Ali Akhtan (332 of 1925)	50 0 0	37 11 0	12 5 0	12 5 0	Ditto.
Shaik Abdul Karim (88 of 1917)	5 12 0	4 14 0	0 14 0	0 14 0	Ditto.
Saroda Prosad Nag	50 0 0	....	50 0 0	50 0 0	Ditto.
Sewprotap Agarwalla (92 of 1917)	27 0 0	4 14 0	22 2 0	22 2 0	Ditto.
Sailendra Chandra Chuckerbutty (234 of 1925)	50 0 0	41 12 0	8 4 0	8 4 0	Ditto.
Suraj Kurn Avani (95 of 1917)	21 4 0	4 14 0	16 6 0	16 6 0	Ditto.
Sunder Das (262 of 1925)	50 0 0	49 2 0	0 14 0	0 14 0	Ditto.
Shib Chander Mookerjee (107 of 1917)	6 4 6	3 14 6	2 6 0	2 6 0	Ditto.
Sanbolle, V. M. (260 of 1925)	50 0 0	38 4 0	11 12 0	11 12 0	Ditto.
Satish Chander Dutt (115 of 1917)	23 11 6	3 14 6	19 13 0	19 13 0	Ditto.
Sarat Chander Mitter (256 of 1925)	60 0 0	46 5 0	13 11 0	13 11 0	Ditto.
Sarat Chander Ghose	43 8 0	3 14 7	39 9 5	39 9 5	Ditto.
Sarat Chunder Roy (268 of 1925)	50 0 0	38 4 0	11 12 0	11 12 0	Ditto.
Shyama Das Khettry (144 of 1917)	24 4 0	3 14 6	20 5 6	20 5 6	Ditto.
Surjo Prosad (271 of 1925)	50 0 0	36 3 0	13 13 0	13 13 0	Ditto.
Satish Chander Mullick	50 12 10	3 14 6	46 14 4	46 14 4	Ditto.
Shaik Soeman (291 of 1925)	102 0 0	48 3 1	53 12 11	53 12 11	Ditto.
Surendra Lall Mullick (8 of 1918)	21 0 0	3 5 6	17 10 6	17 10 6	Ditto.
Sattiya Churn Banerjee (15 of 1919)	25 12 0	5 8 0	20 4 0	20 4 0	Ditto.
S. M. Surobala Dasi and another	30 10 11	3 5 6	27 5 5	27 5 5	Ditto.
Sohn Lall Tebrwalla and Ram Kumar Tebrwalla (282 of 1925)	50 0 0	24 2 0	25 14 0	25 14 0	Ditto.
Saluram Lakhotia and another (73 of 1918)	23 0 0	3 5 7	19 10 5	19 10 5	Ditto.
Shaik Ebrahim and Shaik Nural Abdur (28 of 1926)	60 0 0	58 1 0	1 15 0	1 15 0	Ditto.
Sudhansu Mohan Das Gupta (12 of 1926)	50 0 0	38 11 0	11 5 0	11 5 0	Ditto.
Srichand Sovachand Doogar (25 of 1926)	50 0 0	24 6 0	25 10 0	25 10 0	Ditto.
Surajmull (87 of 1918)	26 6 9	1 14 4	24 8 5	24 8 5	Ditto.

Estates.	Whole amount of receipts.	Whole disbursements.		Balance.	Portion of balance applicable to dividends now payable.	Net balance.	Transfers to unclaimed dividend account under rule 175 of the P. T. I. Act of 1909.	Probable outcome of the dependences.
		Dividends paid.	Other payments.					
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Syed Habibar Rahaman Chowdhury	13 1 8	....	1 14 4	11 3 4	....	11 3 4	....	Outstanding in course of recovery.
Steel, Reginald Cyrus (96 of 1918)	20 8 0	....	1 14 4	18 9 8	....	18 9 8	....	Ditto.
Smith, Charles Osmond (122 of 19 8)	4 9 0	....	1 14 2	2 10 10	....	2 10 10	....	Ditto.
Sagorenull (124 of 1918)	29 4 0	....	1 14 2	27 5 10	....	27 5 10	....	Ditto.
Surendra Nath Das (125 of 1918)	24 0 0	....	1 14 2	22 1 10	....	22 1 10	....	Ditto.
Sewarain (151 of 1918)	35 8 0	....	1 14 2	33 9 10	....	33 9 10	....	Ditto.
Sreelal Hummanbuksh (59 of 1926)	372 12 0	....	67 8 4	305 3 8	....	305 3 8	....	Ditto.
Skinner, F. W. B. (68 of 1926)	50 0 0	....	41 15 6	8 0 6	....	8 0 6	....	Ditto.
Srinibash Ram Chand	50 0 0	....	....	50 0 0	....	50 0 0	....	Ditto.
Srinibash Ram Chunder	50 0 0	....	....	50 0 0	....	50 0 0	....	Ditto.
Sudhir Chandra Banerjee (94 of 1926)	50 0 0	....	43 5 6	6 10 6	....	6 10 6	....	Ditto.
Sidhan Kabur (96 of 1926)	50 0 0	....	19 12 0	30 4 0	....	30 4 0	....	Ditto.
Saleh Mohamed Shaik Hossain Ali (16 of 1919)	13 12 0	....	1 11 6	12 0 6	....	12 0 6	....	Nothing further recoverable.
Surajvan Agarwalla (21 of 1919)	29 0 0	....	1 11 6	27 4 6	....	27 4 6	....	Ditto.
Soshee Bhusan Shree (12 of 1920)	11 3 6	....	1 12 10	9 6 8	....	9 6 8	....	Ditto.
Syed Khilefat Hossain (112 of 1926)	51 4 0	....	41 0 0	10 4 0	....	10 4 0	....	Outstanding in course of recovery.
Sripati Churn Sarkar (121 of 1926)	50 0 0	....	39 12 0	10 4 0	....	10 4 0	....	Ditto.
Sarbesh Chandra Bose	50 0 0	....	39 10 0	10 6 0	....	10 6 0	....	Ditto.
Syed Mohamed Asghar (128 of 1926)	50 0 0	....	41 4 0	8 12 0	....	8 12 0	....	Ditto.
Satish Chandra Bose (126 of 1926)	50 0 0	....	37 0 0	13 0 0	....	13 0 0	....	Ditto.
Shish Chandra Bose (125 of 1926)	50 0 0	....	37 0 0	13 0 0	....	13 0 0	....	Ditto.
Shaik Omar Ali (134 of 1926)	50 0 0	....	26 4 0	23 12 0	....	23 12 0	....	Ditto.
Sewdutra (144 of 1926)	50 0 0	....	10 12 0	39 4 0	....	39 4 0	....	Ditto.
Sambhoo Nath Bandyopadhyay	50 0 0	....	....	50 0 0	....	50 0 0	....	Ditto.
Sagorenull Surana (17 of 1920)	26 3 0	....	1 12 7	24 6 5	....	24 6 5	....	Nothing further recoverable.
Sreegopal Kotary (24 of 1920)	15 0 6	....	1 12 7	13 3 11	....	13 3 11	....	Ditto.
Satyendra Nath Dutt (37 of 1920)	25 0 6	....	2 0 1	23 0 5	....	23 0 5	....	Ditto.
Sarat Kumar Ghosal (41 of 1920)	25 4 6	....	2 0 1	23 4 5	....	23 4 5	....	Ditto.
Subodh Chandra Mukerji (79 of 1920)	30 4 0	....	2 8 6	27 11 6	....	27 11 6	....	Ditto.
Stall, C. J. (82 of 1920)	28 4 0	....	2 0 0	26 4 0	....	26 4 0	....	Ditto.
Simpson, Herbert Francis Hoskins (146 of 1926)	50 0 0	....	23 8 0	26 8 0	....	26 8 0	....	Ditto.
T								
Troyluckho Mohon Shaw	2,909 10 9	565 13 4	2,016 14 2	326 15 3	....	326 15 3	....	Nothing further recoverable.
Thurston, Robert William C.	290 0 0	167 0 3	83 15 6	39 0 3	....	....	34 8 0	Ditto.
							No. 2. E. B.— 4 8 3	

Toolsiram Jalan	9,697 8 3	3,796 13 8	914 15 6	4,985 11 1	....	2,328 4 11	2,657 6 2	Ditto.
Taruck Bondhu Bhattacharjee (25 of 1912)	8,811 13 6	2,283 0 11	4,580 14 9	1,947 13 10	....	1,075 6 1	828 4 3	Ditto.
Taruck Dass Dhur ..	9,308 1 6	3,099 4 6	4,096 8 4	2,112 4 8	....	924 1 3	No. 2. E. B.— 44 3 6 1,188 3 5	Ditto.
Tappissier, Eugene & H. A. ..	474 10 6	....	95 8 8	379 1 10	....	379 1 10	No. 2.	Ditto.
Treasdale, T. W. ..	1,100 0 0	509 13 3	85 14 0	504 4 9	....	82 9 5	421 11 4	Ditto.
Trijogey Nath Dobey ..	5,218 9 6	1,275 3 4	1,954 14 4	1,988 7 10	....	233 15 5	No. 2. 1,764 8 5	Ditto.
Turner, N. A. ..	1,617 9 0	1,205 3 1	211 0 0	201 5 11	....	126 0 4	No. 2. 75 5 7	Ditto.
Tahebhoy Mollah Tayeb Ali ..	221 6 3	....	61 8 10	159 13 5	....	159 13 5	No. 2.	Ditto.
Toolaram Doogar ..	274 15 0	....	69 6 9	205 8 3	....	205 8 3	....	Ditto.
Tice, William ..	260 0 0	....	68 10 6	191 5 6	....	191 5 6	....	Ditto.
Tucker, Henry ..	105 0 0	....	55 11 0	49 5 0	....	49 5 0	....	Ditto.
Thomas, Hugh ..	250 0 0	....	49 15 6	200 0 6	....	200 0 6	....	Ditto.
Toolaram Nursing Dass (169 of 1920)	1,058 14 9	....	1,008 14 9	50 0 0	....	50 0 0	....	Ditto.
Tin Cowry Chatterjee ..	50 0 0	....	28 0 0	22 0 0	....	....	22 0 0	Ditto.
Templeton, A. G. ..	50 0 0	....	37 12 0	12 4 0	....	....	12 4 0	Ditto.
Teck Chand ..	50 0 0	....	23 8 0	26 8 0	....	....	26 8 0	Ditto.
Truesdale, Thomas Richard (208 of 1921)	50 0 0	....	49 5 3	0 10 9	....	....	0 10 9	Ditto.
Tansuk Dass Doogar ..	50 0 0	....	2 8 0	47 8 0	....	....	47 8 0	Ditto.
Tares Chunder Ghose ..	2,220 8 9	407 9 2	868 11 1	744 4 6	....	189 9 11	554 10 7	Ditto.
Tagaram (Tagaram Gunga Lall) (199 of 1922)	50 0 0	....	36 12 0	13 4 0	....	13 4 0	....	Ditto.
Turner, Victor Oswald (231 of 1922)	60 0 0	....	57 0 0	3 0 0	....	3 0 0	....	Ditto.
Tancred, William Marshall ..	50 0 0	....	45 8 0	4 8 0	....	....	4 8 0	Ditto.
Tulsi Shah (30 of 1923)	50 0 0	....	22 0 0	28 0 0	....	28 0 0	....	Ditto.
Tarbie, David Victor (31 of 1923)	50 0 0	....	44 0 0	6 0 0	....	6 0 0	....	Ditto.
Tara Prosonno Pramanick ..	5,535 12 0	....	598 0 10	4,937 11 2	....	4,937 11 2	....	Ditto.
Tara Prosonna Dass Gupta (125 of 1923)	50 0 0	....	38 2 0	11 14 0	....	11 14 0	....	Ditto.
Taylor, Reginald Godfrey A. Wood (170 of 1923)	50 0 0	....	38 14 0	11 2 0	....	11 2 0	....	Ditto.
Tansook Lall Jayni ..	50 0 0	....	....	50 0 0	....	50 0 0	....	Ditto.
Tristram, James Samuel (Montieth & Co.) (205 of 1923)	17,695 10 5	11,967 15 8	4,505 13 10	1,221 12 11	342 1 1	879 11 10	....	Ditto.
Tejpal Jodhray (222 of 1923)	50 0 0	....	10 12 0	39 4 0	....	39 4 0	....	Ditto.
Tejpal Jhoonhuvalla (13 of 1914)	50 0 0	....	35 14 0	14 2 0	....	14 2 0	....	Ditto.
Tillet, Ronald Cecil (65 of 1924)	50 0 0	....	41 4 0	8 12 0	....	8 12 0	....	Ditto.
Thompson, Joseph (66 of 1924)	53 8 0	....	46 12 0	6 12 0	....	6 12 0	....	Ditto.
Tehasussoglow Nicholas ..	50 0 0	....	2 8 0	47 8 0	....	47 8 0	....	Ditto.
Tucker, Ralph Joseph (148 of 1924)	50 0 0	....	27 12 0	22 4 0	....	22 4 0	....	Ditto.
Tara Chand Doogar (238 of 1924)	50 0 0	....	18 0 0	32 0 0	....	32 0 0	....	Ditto.
Tully, Victor Robert (234 of 1924)	341 6 0	....	51 12 4	289 9 8	....	289 9 8	....	Outstanding in course of recovery.
Tarack Bala Dass (15 of 1925)	50 0 0	....	24 12 0	25 4 0	....	25 4 0	....	Ditto.

Estates.	Whole amount of receipts.	Whole disbursements.		Balance.	Portion of balance applicable to dividends now payable.	Net balance.	Transfers to unclaimed dividend account under Rule 175 of the P. T. I. Act of 1909.	Probable outturn of the dependencies.
		Dividends paid.	Other payments.					
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Tulsi Dass Nagji (116 of 1925)	50 0 0	....	30 9 0	19 7 0	....	19 7 0	....	Outstanding in course of recovery.
Tinsley, W. H. (147 of 1925)	950 0 0	580 3 1	122 0 0	247 12 11	203 0 8	44 12 3	....	Ditto.
Tribhuban Harjiban (161 of 1925)	50 0 0	....	20 8 0	29 8 0	....	29 8 0	....	Ditto.
Thomas, Robert Arthur (171 of 1925)	50 0 0	....	38 8 0	11 8 0	....	11 8 0	....	Ditto.
Tejpal (9 of 1917)	25 8 0	....	2 2 9	23 5 3	....	23 5 3	....	Nothing further recoverable.
Tulsi Ram Ramprotap (70 of 1917)	25 0 0	....	2 2 8	22 13 4	....	22 13 4	....	Ditto.
Twena, J. S.	8 4 0	....	4 14 0	3 6 0	....	3 6 0	....	Ditto.
Tarapada Banerjee (144 of 1918)	23 12 0	....	1 14 2	21 13 10	....	21 13 10	....	Ditto.
Tancred, C. W. M. (83 of 1922)	8 0 0	....	5 6 4	2 9 8	....	2 9 8	....	Ditto.
Thurston, Edith Jane Lloyd (89 of 1926)	50 0 0	....	22 0 0	28 0 0	....	28 0 0	....	Ditto.
Tincowry Dey (97 of 1926)	50 0 0	....	41 5 0	8 11 0	....	8 11 0	....	Outstanding in course of recovery.
Tarit Kumar Banerjee (95 of 1926)	50 0 0	....	37 0 0	13 0 0	....	13 0 0	....	Ditto.
Tarni Prosad Shah (29 of 1919)	15 10 6	....	1 11 6	13 15 0	....	13 15 0	....	Ditto.
Tribhuban Hira Chand & Co.	200 0 0	....	....	200 0 0	....	200 0 0	....	Nothing further recoverable.
Troylukya Nath Moitra (38 of 1920)	13 3 0	....	1 12 7	11 6 5	....	11 6 5	....	Ditto.
Tusthu Lal Biswas (Bidya Binode) (78 of 1920)	12 14 0	....	1 15 6	10 14 6	....	10 14 6	....	Ditto.
Upendra Nath Gupta	70 0 0	....	15 3 0	54 13 0	....	54 13 0	....	Nothing further recoverable.
Upendra Nath Dutt (135 of 1916)	3,845 15 3	2,609 2 8	219 15 1	1,016 13 6	....	42 0 0	974 13 6	Ditto.
Upson, Donald Goldie (74 of 1918)	935 0 0	685 0 10	115 10 5	134 4 9	111 3 3	23 1 6	No. 2.	Ditto.
Udoymull Mukundraj and Ajitnull (Issur) Udoynarain, Ram Brehmo and Sri Bejoy Hurry Roy (15 of 1921)	81 8 0	....	36 6 10	45 1 2	....	45 1 2	....	Ditto.
Upendra Nath Bondopadhyaya	6,556 11 0	....	3,052 13 11	3,503 13 1	....	3,503 13 1	....	Ditto.
Upendra Nath Chatterjee (Charles Francis & Co.) (210 of 1921)	1,378 7 6	....	1,294 10 6	83 13 0	....	83 13 0	....	Ditto.
Upendra Nath Nundy (116 of 1923)	7,229 2 6	....	6,301 10 0	927 8 6	....	927 8 6	....	Ditto.
Unger, Valentine Carl Whybrow (232 of 1923)	792 14 6	....	142 14 7	649 15 11	....	649 15 11	....	Outstanding in course of recovery.
Uma Charun Adya	50 0 0	....	33 4 0	16 12 0	....	16 12 0	....	Ditto.
Upendra Nath Dutt (128 of 1924)	50 0 0	....	....	50 0 0	....	50 0 0	....	Ditto.
Uma Nath Mukherjee (131 of 1924)	50 0 0	....	24 15 0	25 1 0	....	25 1 0	....	Ditto.
Upendra Nath Dutt	50 0 0	....	41 5 0	8 11 0	....	8 11 0	....	Ditto.
Upendra Nath Mullick	50 0 0	....	....	50 0 0	....	50 0 0	....	Ditto.
	50 0 0	....	33 6 0	16 10 0	....	16 10 0	....	Ditto.

U

Yonk, A. M. L.	50 0 0	....	9 9 6	40 6 6	....	40 6 6	....	Ditto.
Valla Kota Kowar Appa Rao ..	50 0 0	....	6 3 7	43 12 5	....	43 12 5	....	Ditto.
Vaji Jetha	633 8 11	....	61 8 10	572 0 1	....	572 0 1	....	Ditto.
Vasanji Davji Thakur (32 of 1922)	50 0 0	....	45 14 0	4 2 0	....	4 2 0	....	Ditto.
Vani Chand Gopalji (176 of 1925)	50 0 0	....	19 8 0	30 8 0	....	30 8 0	....	Ditto.
Vallab Dass Meghji (170 of 1925)	50 0 0	....	37 15 6	12 0 6	....	12 0 6	....	Ditto.
Vanspall, Maurice George Christian (88 of 1926) ..	100 0 0	....	42 8 0	57 8 0	....	57 8 0	....	Outstanding in course of recovery.
								Ditto.
Woomesh, Chunder Chowdry ..	300 0 0	133 4 3	92 10 0	74 1 9	....	....	18 5 8	Nothing further recoverable.
							55 12 1	
Wise, R. F.	298 7 0	....	37 14 9	260 8 3	....	260 8 3	No. 2.	Ditto.
Woopendra Chunder Pal and another	710 0 0	....	84 8 3	625 7 9	....	625 7 9	....	Ditto.
Worman & Co. ..	3,51,488 10 3	1,94,675 14 7	1,49,387 7 6	7,425 4 7	3,330 6 0	291 14 6	3,803 0 1	Ditto.
Wood, Henry ..	660 0 0	176 4 0	66 13 6	416 14 6	....	....	No. 2.	Ditto.
							398 7 5	
Wilkinson, H. R. ..	15,761 15 9	10,109 10 1	2,028 2 0	3,624 3 8	....	1,715 7 8	No. 2.	Ditto.
							E. B. 18 7 1	
Wilson, James Alexander (33 of 1919)	2,160 0 0	....	49 15 6	110 0 6	....	110 0 6	No. 2.	Ditto.
Wittenbaker, T. A. W. (73 of 1919)	850 0 0	387 14 1	127 14 0	334 3 11	263 5 8	70 14 3	....	Ditto.
Wickins, John (105 of 1919) ..	270 0 0	....	64 8 9	205 7 3	....	205 7 3	....	Ditto.
Weskin, alias Wescott, Mrs. Pasquella	50 0 0	....	59 7 0	9 7 0	....	....	....	Ditto.
Waymark, A. E. ..	2,614 5 0	1,457 10 1	224 1 0	932 9 11	Dr. Balance 106 15 2	784 7 9	41 3 0	Outstanding in course of recovery.
Weir, W. R. ..	1,874 4 0	....	309 8 6	1,564 11 6	....	1,564 11 6	....	Ditto.
Webber, J. G. ..	50 0 0	....	25 0 0	25 0 0	....	25 0 0	....	Ditto.
Wood, L. W. C. ..	54 0 0	....	52 2 0	1 14 0	....	1 14 0	....	Ditto.
Weatherall, Mabel Lena	50 0 0	....	22 4 0	27 12 0	....	27 12 0	....	Ditto.
Weatherall, Herbert Arthur (152 of 1922)	135 12 9	....	45 12 7	90 0 2	....	90 0 2	....	Ditto.
Wills, Frederick Oliver (215 of 1922)	50 0 0	....	41 0 0	9 0 0	....	9 0 0	....	Ditto.
White, Maurice ..	70 0 0	....	49 0 0	21 0 0	....	21 0 0	....	Ditto.
William, George (58 of 1923) ..	50 0 0	....	24 0 0	26 0 0	....	26 0 0	....	Ditto.
Wilkins, Frederick Oliver (120 of 1923)	50 0 0	....	43 0 0	7 0 0	....	7 0 0	....	Ditto.
Whiteworth, Mark Stanley (136 of 1923)	50 0 0	....	39 12 0	10 4 0	....	10 4 0	....	Ditto.
White, Garnett Hyne (227 of 1923)	1,333 13 0	637 7 10	219 2 2	477 3 0	184 13 6	292 5 6	....	Ditto.
Wardropper, Edwin (4 of 1924)	763 4 9	....	669 2 7	94 2 2	....	94 2 2	....	Ditto.
Wildgoose, Thomas Austin	50 0 0	....	2 8 0	47 8 0	....	47 8 0	....	Ditto.
Watts, Andrew Bouchard (192 of 1924)	540 4 0	....	63 4 2	476 15 10	....	476 15 10	....	Ditto.
Walker, C. A. (228 of 1924) ..	50 0 0	....	45 15 6	4 0 6	....	4 0 6	....	Ditto.

Estates.	Whole amount of receipts.	Whole disbursements.		Balance.	Portion of balance applicable to dividends now payable.	Net balance.	Transfers to unclaimed dividend account under rule 175 of the P. T. I. Act of 1909.	Probable outcome of the dependencies.
		Dividends paid.	Other payments.					
Wallace, R. Mrs. (239 of 1924)	Rs. A. P. 23,361 0 9	Rs. A. P. 4,669 12 4	Rs. A. P. 15,750 13 3	Rs. A. P. 2,940 7 2	Rs. A. P. 1,801 7 9	Rs. A. P. 1,138 15 5	Rs. A. P.	Outstanding in course of recovery.
Walli, Mohamed Kassim (95 of 1925)	208 13 6	....	34 0 0	174 13 6	....	174 13 6	....	Ditto.
William, Robert James (150 of 1925)	66 12 0	....	50 12 0	16 0 0	....	16 0 0	....	Ditto.
Walji Luchmi Chand (165 of 1925)	100 0 0	....	19 3 6	70 12 6	....	70 12 6	....	Ditto.
Wells, Dorothy Mrs. (217 of 1925)	50 0 0	....	38 11 0	11 5 0	....	11 5 0	....	Ditto.
Wilkinson, Terence William (5 of 1926)	50 0 0	....	41 7 0	8 9 0	....	8 9 0	....	Ditto.
Whitehead, H. E. (35 of 1926)	69 14 6	....	44 10 6	25 4 0	....	25 4 0	....	Ditto.
Wells, Fred (81 of 1918)	4 8 0	....	1 14 4	2 9 8	....	2 9 8	....	Nothing further recoverable.
Williamson, Thomas William (62 of 1919)	28 0 0	....	1 11 8	26 4 4	....	26 4 4	....	Ditto.
Wade, H. E. (2 of 1920)	16 12 6	....	1 12 9	14 15 9	....	14 15 9	....	Ditto.
Wale, Joy Sybil Mrs. (28 of 1920)	13 8 0	....	2 0 1	11 7 11	....	11 7 11	....	Ditto.
Y								
Yassin, K. M.	114 5 0	....	38 4 10	76 0 2	....	76 0 2	....	Outstanding in course of recovery.
Young, Henry Horatio	290 0 0	108 4 0	21 13 11	159 14 1	....	....	94 5 8	Nothing further recoverable.
No. 2.								
Yee Ahong	50 0 0	....	26 4 0	23 12 0	....	23 12 0	E. B.— 65 8 5	Ditto.
Z								
Zemin, Samuel Joseph	50 0 0	....	25 13 6	24 2 6	....	24 2 6	....	Ditto.
Zarwamull Ramessur (8 of 1920)	181 1 9	....	37 14 8	143 3 1	....	143 3 1	....	Ditto.
Zamin Ali Shah	133 4 0	....	25 10 7	107 9 5	....	107 9 5	....	Ditto.
Zeaul Huq (125 of 1925)	264 10 0	....	59 6 2	205 3 10	....	205 3 10	....	Outstanding in course of recovery.

In addition to the above there are 669 estates with balances under Rs. 500 aggregating Rs. 1,19,817-2-6 the particulars of which may be learnt at this office. The Official Assignee has received for remuneration for the half year ending 31st July 1926 Rs. 11,470.

Prepared by

Examined by

CALCUTTA,

PTAMBAR BANERJEE,

GIRIJA K. BASU,

S. C. GUPTA,

G. M. FALKNER,

The 22nd February 1927.

Head Clerk, Bills Department,

Auditor.

Examiner, Outside Audit, Calcutta.

Official Assignee, Calcutta.

The 29th March 1927.

(1851-1)

Notification A.

NOTICE is hereby given, under sections 6 and 13, Act XI of 1859, that the undermentioned estates and shares of estates in the district of Pabna will be put up for sale at the office of the Collector of that district on the 5th January 1928, at 12 noon, for arrears of revenue and other demands, which by law are realizable as arrears of land revenue.

When in columns 5, 7 and 9 of the following statement it is stated that only a share is to be sold, it is to be understood that a separate account is kept for that share :—

Tauzi No.	Name of mahal and pargana.	Sadar jama of whole estate.	Whether the whole estate is to be sold.	If only a share is to be sold, specification of such share or shares.	Names of proprietors of property to be sold.	If only a share is to be sold, the sadar jama of such share.	If the whole estate is to be sold, the arrears due from it.	If only a share is to be sold, the arrears due from it.
1	2	3	4	5	6	7	8	9
		Rs. A. P.				Rs. A. P.	Rs. A. P.	Rs. A. P.
3	Dihl Shoratali, pargana Ishaf-shahi.	10,767 9 0	...	<p>* Separate account No. 40— 2 as. 12 gds. 2 coras share of Kura Udaypur chak Kurabari <i>alias</i> Kurabari chak. Duttbari, Janglikhamar, Jhonjhonbari, Kau Neorgachha, Khamarpara Bitbari <i>alias</i> Bitbari, Neorgachha, Krisnopur chak. Nagar Boyra, Pangashi Farid, Shoratala, Shyambaria, Durgapur, Haludghorpara, Sitolpatti, Putia Bhagirath, Horepara, Raghobpur <i>alias</i> Bhagalpur, Rakhalgachha, Nandiganti Singganti, Baldipara, Janghbari K. <i>alias</i> Janglipur, 1 a. 2 gds. 2 crs 1 kg and 5 tils share of Sayanpur, 2 as. 12 gds. 2 crs. share of Maricha, Uchal Satbaria <i>alias</i> Sabaria, 12 gds. 1 cr. and 17½ tils share of Dariapur, Dasha rathbar and Khanjondiar, 2 as. 12 gds. 2 crs. share of Kacharbari and Narais Alokdia, 3 gds. 3 crs. share of Pechakola, 8 gds. 1 cr. 3 kgs. share of Santosha, 6 gds. 1 cr. 2 kgs. 12 tils ½ (lipon 17 tils) share of Lahiribari and Paksha, 8 gds. 3 crs. share of Majgram <i>alias</i> Latibpur, 1 cr. 2 kgs. 11½ tils of Chak Tebaria with Chandpur, 8 gds. 3 crs. share of Arjoondia, hisya 6 as. <i>alias</i> Khumargaon, 8 gds. 1 cr. 3 kgs. 7½ tils share of Gopinathpur, 19 gds. 2 crs. 3 kgs. share of Pakurtola, 13 gds. 2 kgs. share of Tentulia <i>alias</i> Ekrampur, 2 gds. 1 cr. 3 kgs. 7½ tils share of Sabaria Chala, hisya 13 as. 15½ gds., 13 gds. 2 kgs. share of Basantapur Thakurbari, Chalu Hararpara Gohalbari <i>alias</i> Gohailbari, 12 gds. 1 cr. 17½ tils share of Dandaspoti and Khidraputi, 3 gds. 2 kgs. 1½ tils share of Banahbaria, 2 gds. 1 cr. 3 kgs. 7½ tils share of Damdoma, 2 as. 12 gds. 2 crs. share of Koysa Khamarpara, Kacharpara, Miriganti Thor Potaria, Baghutia, Bhata Paikhandia, Nandina Ohanda, Mohespur and Mahomedpur, 1 anna 15 gds. share of Betil, hisya 7 as. and Arjoondia, hisya 7 as., 8 gds. 3 crs. share of Ohala Betil Kismut <i>alias</i> Betil, hisya 6 as. 2 as. 12 gds. 2 crs. share of Udaykrishnapur, Elongjani, Ichhamati, Kausona, Kura Pestak, Khamarpara <i>alias</i> Sontola Gadhebari, Jagtola, Jalabati <i>alias</i> Jokabati, Baniaganti bonum Lalkhan Mohojherpara, Hizlia Hore Shoratal Kura Adaypur, Biljhati belai, Bipro Tentulia <i>alias</i> Kallinja, Bhadrabat <i>alias</i> Kallinja, Borohar <i>alias</i> Fariderpara Barabar, Bengna, Bonbari <i>alias</i> Kadai Bonbaria, Baniaganti, Bhutgachha Barabar and Ghoseganti, 1 a 16 gds. 1 kg. 10 tils share of Gobindabati.</p> <p>* All other shares than that specified will be excluded from the sale.</p>	Atul Chandra Bhatta-charji and others.	1,256 7 0	...	390 6 0 Police— 5 13 0
1730	Resumed K. Char Dhala, Part I, pargana Brahampur.	963 0 0	Whole ...	.....	Jogendra Nath Saha Chaudhury and others.	...	37 8 0	...

Pabna, the 14th December 1927.

B. N. DAS GUPTA, Deputy Collector, for Collector.

List of unclaimed documents of the Registry Office at Calcutta for the year 1924, for destruction under section 85 of Act XVI of 1908.

Serial No.	Name of parties.		Nature of document.	Number of documents in register.	Book.	Volume.	Page.	Date of—		Amount of refunds due.	Remarks.
	Claimant.	Executant.						Completion of registration.	Refusal.		
								1924.			
1	Rani Moni Dassi	Kalipada Halder	T. Lease, K. ...	30	I	26	161-165	7th Jan.			
2	.....	Janki Das	Release	272	I	18	235-238	22nd "			
3	Ram Kissen Joshi	Ram Sook Kappur	T. Lease, K. ...	351	I	3	109-112	25th "			
4	Nanda Lal Santra	Nani Gopal Mukherji and another.	T. Lease, P. and K.	617	I	5	161-167	12th Feb.			
5	David A. David	P. E. Billingham	Declaration of Trust.	665	I	10	256-258	14th "			
6	Shaikh Entaj Ali	Khatir Shaikh	Surrender of Lease.	866	I	4	200-202	26th "			
7	A. Metaza	John Skippers	T. Lease, P. and K.	911	I	37	159-162	29th "			
8	Kailash Chander Mullick.	Wooma Kanta Chatterji	Release	917	I	44	61-64	29th "			
9	Kangali Charan Ghose Sadder.	Girish Chandra Pal	T. Lease, P. ...	971	I	54	9-11	1st Mar.			
10	Hira Lal Dey and another.	Jaggannath Singannaria and another.	T. Lease, P. and K.	962	I	45	121-126	6th "			
11	Nanda Lal Dass	Sanyasi Charan Das	Ditto	1253	I	48	168-175	22nd "			
12	S. M. Hadi Shoosty	Mondudar Rahman	T. Lease, K. ...	1408	I	56	97-101	3rd April			
13	Naibala Dassi	Munjuribala Dassi	Release	1452	I	47	207-210	7th "			
14	A. G. T. Rees	Moti Lal Halwasiya	T. Lease, P. and K.	1539	I	52	158-163	10th "			
15	Mohammad Ishaque Chowdhury.	Rup Chandi Mahapatra	T. Lease, K. ...	1767	I	70	44-46	25th "			
16	P. J. Bramston	Rai Bahadur Bissessur Lal Halwasiya.	T. Lease, P. and K.	1782	I	51	195-201	28th "			
17	Rabia Khatoon	Yar Ali Mullick	Gift	1877	I	56	222-232	2nd May			
18	Satyendra Nath Dutt and another.	Jatindra Nath Dutt	Sale	1905	I	71	62-70	3rd "			
19	Purna Chandra Ghosh Peali.	Brindaban Chandra Poali	Release	1913	I	70	87-90	5th "			
20	Krishna Mohan Banerjee.	Ashtosh Dass	Sale	1927	I	51	223-225	8th "			
21	Euart Webber and another.	Atlas Construction Company, Limited.	Release	2179	I	77	33-37	22nd "			
22	Bireswar Das Laha	Kunja Behari Mondal	Transfer	2196	I	75	91-93	22nd "			
23	D. H. Fraser	Woomesh Chunder Banerjee.	T. Lease, P. and K.	2402	I	83	54-61	6th June			
24	Satkari Dass	Hari Narayan Dey	Release	2431	I	76	141-143	9th "			
25	Surejmul Baijnath	Joy Narain Chunder	T. Lease, P. and K.	2440	I	86	82-86	9th "			
26	Nagendra Nath Bosu	Jagadish Prasad Banerji	Sale	2475	I	77	117-119	11th "			
27	Satya Sankar Bhakur	Muffazal Hossain and another.	Lease, K. ...	2486	I	94	1-6	13th "			
28	Mulchand Azawal and others.	Messrs. Moty Lal Radha Kissen.	T. Lease, P. and K.	2510	I	94	7-11	16th "			
29	Shaikh Mohamed Jalil	Syed Abshan Ahmad	T. Lease, P. ...	2600	I	76	187-188	20th "			
30	Sir Bijoy Chand Mahatap, Maharajahdhiraj of Bordwan.	Nakari Bhattacharji	Mortgage	2610	I	96	17-20	24th "			
31	Mohini Mohan De	Shaikh Mustaque Ahmed	Ditto	2638	I	63	121-128	24th "			
32	Khalil Rahman Mullick.	Yakub Mullick	Sale	3027	I	85	212-214	17th July			
33	C. A. Williams	Bissessur Lal Motilal	T. Lease, P. and K.	3712	I	120	1-7	29th Aug.			
34	Shaikh Abdul Haque	Sonabibi	Mortgage	3857	I	121	1-3	8th Sept.			
35	Nirde Chandra Kundu.	Kedar Nath Mondol	Sale	3987	I	112	176-177	15th "			
36	Shaikh Mohamed Wazir.	Shaikh Osman Gany	T. Lease, P. and K.	4026	I	123	60-63	19th "			
37	Satish Chandra Roy	C. A. Rodrick	T. Lease, K.	4207	I	108	224-227	25th "			
38	Satya Chandra Kundu	Moti Lal Gure	Release	4244	I	118	115-117	27th Sept.			
39	Arabinda Ghosh	Dr. J. J. Brittain	T. Lease, P. and K.	4380	I	126	61-64	4th Oct.			

Serial No.	Name of parties.		Nature of document.	Number of documents in register.	Book.	Volume.	Page.	Date of—		Amount of refunds due.	Remarks.
	Claimant.	Executant.						Completion of registration.	Refusal.		
40	S. H. Singleton and others	Rani Indubala Dassi	T. Lease, P. and K.	4701	I	129	63-70	1924. 3rd Nov.			
41	Sris Chandra Bhatta- charji.	Bepin Behary Chakravarti	Mortgage	4803	I	123	185-193	14th "			
42	Krishna Chandra Roy Chowdhury.	Bisanji Narayanji	Ditto	5080	I	128	206-209	2nd Dec.			
43	Sunder Lal Misra and others.	Upendra Nath Bhatta- charjee.	T. Lease, K....	5405	I	143	191-193	29th "			
44	Khairat Ali	Shaikh Gafoor	Agreement for sale.	5504	I	147	87-91	30th "			
45	Golap Moni Dassi	Chintamoni Dassi	Release	5526	I	47	297-300	30th "			
46	Muhammad Tahur	.....	Declaration	72	IV	7	197	12th Jan.			
47	Mrs. Lilly Lees	Mrs. F. C. Collier	Gift	163	IV	1	65-64	2nd Feb.			
48	Jogendra Nath Ghosh	Ram Chandra Pal	Sale	243	IV	2	199-200	4th Mar.			
49	Syed Mohamed Idris	Surendra Nath Roy	Do.	531	IV	2	193-194	4th April			
50	Sowa Lal	Messrs. Badrinarayan Srinarayan.	Sale	774	IV	10	132-134	12th May			
51	Thutha Mal	Shew Baksh	Special power	925	IV	14	140-141	11th June			
52	Matadin Joshi	Bhagwa Das	Ditto	1049	IV	12	215-216	1st July			
53	Bijoy Krishna Paul and another.	Nilmoney Dey	Deed of Can- cellation.	1056	IV	14	176-177	3rd "			
54	Pashupati Sen	Hari Charan Rakshit	Sale	1069	IV	14	185-187	8th "			
55	Pramatha Nath Chakrabarti.	Moumtha Nath Mukherji	Indemnity Bond.	1083	IV	17	27-28	9th "			
56	Shaik Mukdom Ali	J. M. Roberts	Partnership	1225	IV	18	30-32	31st "			
57	Santosh Kumar Roy and another.	Narendra Nath Hazra	Sale	1240	IV	15	145-146	5th Aug.			
58	Murlihar Sing	Shaikh Mofezzul Hossain	Co-partner- ship.	1241	IV	17	89-91	5th "			
59	Nrsingha Prosad Mukherji.	Rani Prayag Kumari Debi and others.	Indemnity Bond.	1265	IV	13	273-275	9th "			
60	Surendra Nath Chandra.	Tulsi Charan Laba	Sale	1411	IV	20	51-53	29th "			
61	Muhammad Shaina	.....	Declaration	1641	IV	16	190-191	29th "			
62	.....	Joy Dayal	Ditto	1644	IV	17	286-287	29th Sept.			
63	Adamibhoy Fazulbhoy Jumabhoy.	Rahimtoola Jan Mohamed Gangjee.	Power	1672	IV	18	235-237	14th Oct.			
64	G. A. Phillips	H. W. Vickers	Sale	1762	IV	21	271-275	31st "			
65	N. C. Rogers	D. D. Evans	Do.	1842	IV	22	44-45	17th Nov.			
66	Ummal Khair Chow- dhurani.	Mohomed Rahman. Habibur	Kabli	1951	IV	22	131-133	29th "			
67	.....	Rameswar Agarwalla	Declaration	2030	IV	23	181-182	13th Dec.			
68	Ranglal Khemani	Muralidar Chakhani	General Power	2062	IV	22	238-239	18th "			
69	Sabera Khaton	Muhammad Hossain Khan	Gift	2077	IV	24	205-206	19th "			
70	.....	Mohamed Sayed	Declaration	2079	IV	24	211-212	20th "			
71	Probodh Kumar Dutt	Bin Raj	T. Lease, K....	15 S. R.	II	...	...	1924. 21st Aug.		Rs. A. 3 4	
72	Kailprasanna Das	Nilratan Chakrabarty	Mortgage	17 S. R.	II	...	...	1st Nov.		1 8	

ABDUL MAJID,

Registrar of Assurances, Calcutta.

CALCUTTA, the 3rd December 1927.

SUMMONS FOR DISPOSAL OF SUIT.

(ORDER V, RULES 1 AND 5, CODE OF CIVIL PROCEDURE.)

In the Court of the Sub-Deputy Collector at Deoghar, district Santhal Parganas.

RENT SUIT No. 441 OF 1927.

To Indumati Dasi, through her solicitor Mr. D. N. Mitra, B.L., of Temple Chambers, 6, Old Post Office Street, Calcutta.

WHEREAS Ezaradar of Town Basauri Mahals of Rohinee estate has instituted a suit against you for Rs 21-9-9 on account of interest upon arrears of rent, you are hereby summoned to appear in this Court in person or by a pleader duly instructed, and able to answer all material questions relating to the suits or who shall be accompanied by some person able to answer all such questions on the 13th day of January 1928 at 10-30 o'clock in the forenoon, to answer the claim; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this 6th day of December 1927.

N. PRASAD, Sub-Deputy Collector.
(2105—2—1941)

SUMMONS FOR DISPOSAL OF SUIT.

(Order V, Rules 1 and 5, Code of Civil Procedure.)

In the Court of the 3rd Officer at Deoghar, district Santhal Parganas.

RENT SUIT No. 442 OF 1927.

To Basant Kumar Pal, of Santipur (Bhabanipara), sub-division Itanaghat, police-station Santipur, district Nadia.

WHEREAS Ambica Rai and others, of village Ghorlas, taluk Rohini (Santhal Parganas), has instituted a suit against you for arrears of rent from 1331 to 1333 at the yearly rental of Rs. 15-8, amounting to Rs. 54-11-9, you are hereby summoned to appear in this Court in person or by a pleader duly instructed, and able to answer all material questions relating to the suit or who shall be accompanied by some person able to answer all such questions on the 13th day of January 1928, at 10 o'clock in the forenoon, to answer the claim; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce on that day all the witnesses upon whose evidence and all documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day before mentioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this 6th day of December 1927.

N. PRASAD, Sub-Deputy Collector.
(2107—2—1942)

In the High Court of Judicature at Fort William in Bengal, in Insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 233 OF 1927.

Re Dinesh Chandra Sen, residing at No. 18, Narendra Nath Sen Square and lately carrying on business as a contractor at No. 8, Old Post Office Street in the town of Calcutta, at present of no occupation, *ex parte* the debtor.

Mitra and Mukerjee, debtor's solicitors.

ON the 10th day of December 1927 an order was made by the High Court of Judicature at Fort William in

Bengal in its insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me.

Dated this 19th day of December 1927.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in Insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 237 OF 1927.

Re Harnarain Mackar residing at No. 8, Hanspooker 1st Lane in the town of Calcutta and lately a broker in stock and share, at present of no occupation, *ex parte* the debtor.

Siva Das Set, debtor's solicitor.

ON the 15th day of December 1927, an order was made by the High Court of Judicature at Fort William in Bengal in its insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me.

Dated this 19th day of December 1927.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in Insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 238 OF 1927.

Re Abul Hassan and Muhammad Siddiq, both residing at No. 71-1, Colootollah Street, in the town of Calcutta, lately carrying on business in co-partnership as dealers in wire at Delhi, under the name, style and firm of Abul Hassan Muhammad Siddiq, at present the latter working as a commission agent at No. 71-1, Colootollah Street, in Calcutta, aforesaid, and the former doing no work, *ex parte* the debtors.

M. H. Haq, debtors' solicitor.

ON the 15th day of December 1927, an order was made by the High Court of Judicature at Fort William in Bengal in its insolvency jurisdiction adjudging the abovenamed as insolvents.

NOTE.—All debts due to the estate should be paid to me.

Dated this 21st day of December 1927.

G. M. FALKNER, Official Assignee.

In the High Court of Judicature at Fort William in Bengal, in Insolvency.

NOTICE OF ADJUDICATION ORDER.

No. 239 OF 1927.

Re Hemanta Kumar Das, residing at No. 61, Sovabazar Street in the town of Calcutta, landholder, *ex parte* the debtor.

S. K. Mukherjee, debtor's solicitor.

ON the 16th day of December 1927, an order was made by the High Court of Judicature at Fort William in Bengal in its insolvency jurisdiction adjudging the abovenamed as an insolvent.

NOTE.—All debts due to the estate should be paid to me.

Dated this 21st day of December 1927.

G. M. FALKNER, Official Assignee.

In the Court of the Additional District Judge of 24-Parganas.

INSOLVENCY CASE No. 64 of 1926.

NOTICE is hereby given that the adjudication order dated 20th December 1926 of the insolvent Apurba Krishna Bajpai, resident of Chatterjeepara, Dakhineswar, district 24-Parganas, was annulled by order dated 10th December 1927.

L. B. CHATTERJEE, Addl. District Judge.
Alipore, the 20th December 1927.

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 249 of 1927.

Meher Banu Bibi, of Dum-Dum, Gorabazar, thana Dum-Dum, 24-Parganas, applicant.

To Kali Prosad Sha, of Dum-Dum, Gorabazar, thana Dum-Dum, 24-Parganas, and others, creditors.

ON the 22nd day of August 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1989—1—1949)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 396 of 1927.

Satya Charan Das, of 3, Maminpur Guilee, thana Ekbalpur, 24-Parganas, applicant.

To Kishori Mohan Das, of 101, Alipore Road, thana Alipore, 24-Parganas, and others, creditors.

ON the 5th day of September 1927 it was ordered that the matter of the petition of the applicant be heard on the 30th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1990—1—1950)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 342 of 1927.

Gazer Mia, of Metiaburuz Puraton Karbala, thana Metiaburuz, 24-Parganas, applicant.

To Deo Narayan Ram, of 38, Watgunj Road, Kidderpur, 24-Parganas, and others, creditors.

ON the 5th day of September 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1991—1—1951)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 443 of 1927.

Brindaban Ranjit, of Ramnagar, thana Metiaburuz, 24-Parganas, applicant.

To Sayed Ali Khan, of Metiaburuz, police-station Metiaburuz, 24-Parganas, and others, creditors.

ON the 8th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 16th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1992—1—1953)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 467 of 1927.

Hridoy Chandra Pajal of Nandanpur, thana Budge-Budge, 24-Parganas, applicant.

To Karim Khan Kabuli of Nandanpur, thana Budge-Budge, 24-Parganas, and others, creditors.

ON the 18th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 16th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1993—1—1954)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 447 of 1927.

Esaff Molla, of Panchur, thana Metiaburuz, 24-Parganas, applicant.

To Fazley Khan Kabuli, of Mudiali, thana Metiaburuz, 24-Parganas, and others, creditors.

ON the 8th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 30th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1994—1—1955)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 428 of 1927.

Ramdhan Sha, of Titagarh, thana Titagarh, 24-Parganas, applicant.

To Janaki Das, of Harrison Road, Barabazar, Calcutta, and others, creditors.

ON the 5th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 16th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1995—1—1956)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 430 of 1927.

Sheikh Nur Muhammad of Ichhapur, thana Napara, 24-Parganas, applicant.

To Ramsundar Singh of Jagaddal, thana Jagaddal, 24-Parganas, and others, creditors.

ON the 5th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 30th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (1996—1—1957)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 432 of 1927.

Saynul Mia, of 4, Alipore Park Place, police-station Alipore, 24-Parganas, applicant.

To Golam Mahomed Mia, of 8, Alipore Park Road, police-station Alipore, 24-Parganas, and others, creditors.

ON the 5th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 30th day of January 1928, and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (1997—1—1958)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 435 of 1927.

Karan Dosad, of Naihaty, thana Naihaty, 24-Parganas, applicant.

To Mihir Khan Kabuli, of Gouripur, 24-Parganas, and others, creditors.

ON the 8th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (1998—1—1959)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 440 of 1927.

Sheikh Denat Ali Mandal, of Bediadanga, thana Tallygunge, 24-Parganas, applicant.

To Priya Nath Roy, of Bundel, Dhakuria post-office 24-Parganas, and others, creditors.

ON the 8th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 30th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (1999—1—1960)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 444 of 1927.

Bhuson Chandra Ruidas, of 51-3, South Road, Entally, police-station Entally, 24-Parganas, applicant.

To Sali Mohammad Khan, of 35-1, South Road, Entally, police-station Entally, 24-Parganas, and others, creditors.

ON the 8th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928, and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (2000—1—1961)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 441 of 1927.

Haripada Bairagi, of Bostampara, thana Alipore, 24-Parganas, applicant.

To Palwan Khan Kabuli, of Kamarpura, thana Behala, 24-Parganas, and others, creditors.

ON the 8th day of November 1927, it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928, and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (2001—1—1962)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 322 of 1927.

B. Shik, of Diamond-Harbour Road, thana Behala, 24-Parganas, applicant.

To Puranchand Nahata, of 47, Khengrapati Street, Barabazar, Calcutta, and others, creditors.

ON the 22nd day of August 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927 (2002—1—1971)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 265 of 1927.

Sheikh Mohammad Idris Molla, of Dobapara, thana Metiaburuz, 24-Parganas, applicant.

To Gul Rahaman Khan, of Mudiali, police-station Metiaburuz, 24-Parganas, and others, creditors.

ON the 22nd day of August 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (2003—1—1972)

NOTICE.

**In the 4th Court of the Sub-Judge of
24-Parganas.**

INSOLVENCY CASE No. 261 of 1927.

Monilal Adhicary, of Budge-Budge, thana Budge-Budge, 24-Parganas, applicant.

To Nundo Maity, of Bade Kalinagar, police-station Budge-Budge, 24-Parganas, and others, creditors.

ON the 29th day of August 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (2004—1—1973)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 264 OF 1927.

Durga Dhopi Shewprosad Dhopi, of Fotehpur, thana Garden Reach, 24-Parganas, applicant.
To Sultan Khan, of 14, Durgadas Lane, Kidderpur, 24-Parganas, and others, creditors.

ON the 29th day of August 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2005—1—1974)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 356 OF 1927.

Karnadhar Bag, of Hum Shaheb's Bagicha, thana Budge-Budge, 24-Parganas, applicant.

To Suneru Sing, of Baoli, thana Budge-Budge, 24-Parganas, and others, creditors.

ON the 31st day of October 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2006—1—1963)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 335 OF 1927.

Ganesh Chandra Das, of Russa, thana Tollygunge, 24-Parganas, applicant.

To Adyait Haldar, of Chetla, thana Alipore, 24-Parganas, and others, creditors.

ON the 31st day of October 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2007—1—1964)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 367 OF 1927.

Hridoy Krishna Roy, of Bara Kantalia, thana Titagarh, 24-Parganas, applicant.

To Hari Mohan Chatterjee, of Mohanpur, thana Titagarh, 24-Parganas, and others, creditors.

ON the 7th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2008—1—1965)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 438 OF 1927.

Umed Ali Mandal, of Mandalgati, thana Barasat, 24-Parganas, applicant.

To Girish Chandra Chatterjee, of Mandalgati, thana Barasat, 24-Parganas, and others, creditors.

ON the 18th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2009—1—1966)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 471 OF 1927.

Gopal Chandra Das, of Madral, thana Jagaddal, 24-Parganas, applicant.

To Sidu Das, of Madral, thana Jagaddal, 24-Parganas, and others, creditors.

ON the 18th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2010—1—1967)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 472 OF 1927.

Satya Charan Adak, of Syampur, thana Budge-Budge, 24-Parganas, applicant.

To Hemanta Kumar Deshi, of Charial, thana Budge-Budge, 24-Parganas, and others, creditors.

ON the 18th day of November 1927 it was ordered that the matter of the petition of the applicant be heard on the 23rd day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2011—1—1968)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 359 OF 1927.

Hossain Bukaha Molla, of Santoshpur, thana Mahestola, 24-Parganas, applicant.

To Abdul Hossain Kabuli, of Metebuz, 24-Parganas, and others, creditors.

ON the 16th day of August 1927 it was ordered that the matter of the petition of the applicant be heard on the 30th day of January 1928 and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.
Alipore, the 24th November 1927. (2012—1—1969)

NOTICE.

In the 4th Court of the Sub-Judge of 24-Parganas.

INSOLVENCY CASE No. 377 of 1927.

Mangar Parshi, of Kankinara, thana Jagaddal, 24-Parganas, applicant,

To Lala Kabuli, of Kankinara, thana Jagaddal, 24-Parganas, and others, creditors.

ON the 16th day of August 1927, it was ordered that the matter of the petition of the applicant be heard on the 9th day of January 1928, and that the said applicant do attend to be examined by this Court on that date.

OSMAN ALI, Sub-Judge.

Alipore, the 24th November 1927. (2013--1--1970)

BANKIM CHANDRA RAY, B.L., intends to practise. as a Vakil of the Calcutta High Court. (2159--4--1938)

BABU LALIT MOHAN MUKHERJEE, M.Sc., B.L., intends to be enrolled as a Vakil, High Court, Calcutta.

(2156--4--1934)

BABU MANMATHA NATH DAS GUPTA, M.A., B.L., intends to be admitted as a Vakil of the High Court.

(2170--4--1975)

HARA KRISHNA PRAMANIK, M.Sc., B.L., intends to be enrolled as a Vakil of the Calcutta High Court.

(2167--4--1948)

MR. BONBIHARI MOOKERJEE intends to be enrolled as a Vakil of the Calcutta High Court.

(2157--4--1933)

MR. DYUTISH CHANDRA ROY intends to be enrolled as a Vakil of the Calcutta High Court.

(2166--4--1947)

MR. SYED MD. ATIQULLAH, B.L., intends to be enrolled as a Vakil of the High Court, Calcutta.

(2163--4--1940)

Notice.

WANTED three lady graduates, one for the Dr. Khastagir's High School for Girls at Chittagong and one for each of the Government M. E. Girls' Schools at Comilla and Faridpur. Preference will be given to trained Honours graduates, especially in Mathematics. For the Chittagong post no one need apply who has not at least read Honours course in Mathematics for two years in her B. A. Examination. The value attached to each of these posts is Rs. 75 a month and in the scale of Rs. 75--5--200. The candidates should note that they cannot be given more than the initial rate of pay of the sanctioned scale.

Application with copies of testimonials stating date of birth and also subjects taken in the Matriculation, I. A. and B. A. Examinations will be received by the undersigned up to the 3rd January 1928. "Application for posts" should be written on the envelope underlined with red ink.

M. V. IRONS,

Inspectress of Schools, Dacca Circle.

Ramna, Dacca, the 15th December 1927.

Notice.

WANTED a temporary Assistant, for one month or longer, for the office of the Director of Agriculture, Bengal, Dacca, on a salary of Rs. 125--15--2--200 per mensem. None need apply who is not a passed Accountant and who has no previous experience in Government offices. Preference will be given to those who have also passed the Clerkship Examination of the Bengal Secretariat.

The application will be received by the undersigned up to the 31st December 1927.

ROBERT S. FINLOW,

Director of Agriculture, Bengal.

Ramna, Dacca, the 15th December 1927.

Wanted.

A DISTRICT ENGINEER under the Muzaffarpur District Board on a salary of Rs. 800--40--1,000 plus travelling allowance at the first class rate according to the rules in force.

Applicants must possess the qualifications required under the Local Self-Government rules and should submit their applications in a sealed and registered cover superscribed—

"Application for the appointment of the District Engineer."

The applications must be accompanied by all the necessary certificates and testimonials together with a suitable envelope addressed and sufficiently stamped for registration for returning the original certificates. They should state their age, experience of District Board work and place of residence.

The selected candidate will be confirmed after having passed through a probationary period of two years.

Applications should reach the undersigned not later than the 25th January 1928.

C. P. N. SINGH, Chairman, District Board.

Muzaffarpur, the 16th December 1927. (2165--3)

Notice.

WANTED an experienced Assistant Manager for the Satkhira Wards' Estates at Satkhira on a monthly pay of Rs 100. The candidate must have a thorough knowledge of the management of Wards' Estates. Preference will be given to a suitable Mahomedan candidate. The applicant should state his age, University qualifications and experience in Wards' Estates works in his application, which should reach the undersigned on or before the 15th January 1928.

Candidate will have to give security for Rs. 1,500 in cash or in promissory notes.

H. QUINTON, Collector.

Khulna, 20th December 1927.

Notice.

THE Bengal and Madras Service Family Pension Fund which is provisionally managed and assisted by Government has for its object the provision of monthly pensions for the maintenance of the widows and children of subscribers and is open, with certain exceptions, to all active and pensioned members of the Uncovenanted Service of Government (except those serving under the Government of Bombay), and to Local Fund servants earning pensions from Government. Some of the special features of the Fund are—(1) that widowed daughters incapable of remarriage or children labouring under such mental or bodily infirmities as incapacitate them from earning their livelihood or preclude the possibility of marriage (in case of a daughter) are admitted to its benefits; and (2) that subscribers to the Widows' and Daughters' branches are entitled to a refund of 30 per cent. of the premia paid, should the nominees predecease them after five years of admission. The second quinquennial valuation of the Fund has been completed by the Actuary to the Government of India, and his report discloses very favourable results. For forms of application and rules of the Fund apply to the Accountant-General, Bengal, Imperial Secretariat Buildings, Calcutta.

Public Service Commission.

APPLICATIONS are invited for a post of probationary District Medical Officer on State Railways on Rs. 500—50—600 rising after confirmation up to a maximum of not less than Rs. 1,200 with benefits of the State Railway Provident Fund.

Applicants must possess medical qualifications registrable in the United Kingdom.

Further particulars and application forms will be sent to persons applying for them to the Secretary, Public Service Commission, on or before the 7th January 1928.

J. H. WISE,

Secretary, Public Service Commission.

Delhi, the 17th December 1927.

Public Service Commission.

APPLICATIONS are invited from medical men experienced in Hæmatology and Malaria Survey work for a post of Malariologist on State Railways on Rs. 1,000—50—1,400 with special pay of Rs. 300 per mensem.

Further particulars and application forms will be sent to persons applying for them to the Secretary, Public Service Commission, on or before the 7th January 1928.

J. H. WISE,

Secretary, Public Service Commission.

Delhi, the 17th December 1927.

Notice.

IT is hereby notified for general information that the next ordinary examination of candidates for certificates of competency as Masters and Serangs of inland steam vessels under Act I of 1917, will be held at the Port Office, Chittagong, on Tuesdays, the 17th January, 21st February and 20th March 1928, at 10-30 A.M.

Applications to be permitted to go up for the examination for any of the above grade certificates, must be made at the Port Office, Chittagong, not later than three days prior to the date of examination, the candidates producing their certificates and testimonials, and paying the fees.

C. R. BLUETT, COMDR., R.I.M.,

Port Officer, Chittagong.

Chittagong, the 17th December 1927.

NOTICE.**Imperial Bank of India.**

THE Members of the Local Board sanctioned the following changes in the Bank's Establishment :—

Mr. W. Hannagan to be Assistant in charge, Mandalay City Pay Office, as from 15th October 1927, *vice* Mr. P. Bernard.

Mr. J. L. Hutcheson to be Agent, Sargodha Branch, as from 23rd November 1927, *vice* Mr. E. F. Hailstone.

Mr. F. H. Rae was in charge of Meerut Branch from 22nd November to 25th November 1927 (both days inclusive), *vice* Mr. W. A. Smurthwaite.

Mr. Shri Gopal Gupta was in charge of Muktsar Pay Office from 25th November 1927 to 16th December 1927 (both days inclusive), *vice* Mr. A. N. Bhandary.

Mr. Thakar Das to resume his duties as Agent, Abbottabad Branch, as from 7th December 1927, *vice* Mr. K. K. Gurtu.

Mr. J. N. Karpoor to resume his duties as Agent, Farrukhabad Branch, as from 11th December 1927, *vice* Mr. S. D. Malhotra.

D. S. McCLURE, Secretary and Treasurer.

Calcutta, the 20th December 1927. (2180—1)

Imperial Bank of India.

NOTICE is hereby given that the Principal Register and the Branch Registers of the Imperial Bank of India will be closed for transfer of shares from Monday, the 2nd January 1928, to Monday, the 16th January 1928, both days inclusive.

N. M. MURRAY,
O. A. SMITH (offg.),

Managing Governors.

Calcutta, the 23rd November 1927. (2016—3)

Draft advertisement.

THE Allotment Letter No 360B of the 5½ per cent. War Bonds, 1920, for Rs. 200, issued in the name of Babu Shibdas Banerjee, the proprietor, by whom it was never endorsed to any other person, having been lost, notice is hereby given that payment due thereon has been stopped at the Public Debt Office, Calcutta, and that application for the issue of a payment order representing the discharge value in favour of the proprietor is about to be made. The public are cautioned against purchasing or otherwise dealing with the abovementioned Allotment Letter.

A. C. MUKHERJI,

Deputy Controller of the Currency.

Calcutta, the 20th December 1927. (2184—3)

Lost.

THE Government Promissory Notes Nos. 070704, 070705 and 0771769 of the 3 per cent. loan of 1896-97 for Rs. 500 each originally standing in the name of Pramila Sundari Dassi (since deceased), the proprietor, by whom they were never endorsed to any other person, having been lost, notice is hereby given that payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Imperial Bank of India, Calcutta, and that application is about to be made for the issue of duplicates in favour of Hirendra Nath Mazumdar and Dwijendra Nath Mazumdar, succession certificate holders to the estate of the abovenamed deceased. The public are cautioned against purchasing or otherwise dealing with the abovenamed securities.

Name of the Advertiser—Hirendra Nath Mazumdar.

Address—Post Box No. 11435, Calcutta.

(2043—3—1874)

Lost.

THE Government Promissory Notes Nos. 000731, D001473 to 75 for Rs. 100 each and Nos. F007484 to F007500 for Rs. 500 each of the 6 per cent. loan of 1926, originally standing in the name of the Imperial Bank of India and last endorsed to Lalchand Bose (since deceased), the proprietor, by whom they were never endorsed to any other person, having been lost, notice is hereby given that payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Imperial Bank of India, Calcutta, and that application is about to be made for the issue of duplicates in favour of Sm. Gajamati Dassi, certificate holder to the estate of abovenamed deceased. The public are cautioned against purchasing or otherwise dealing with the abovementioned securities.

Name of the Advertiser—Sm. Gajamati Dassi.

Residence—Village and post-office Bandipur, district Hooghly. (2135—3—1931)

Lost.

THE Government Promissory Note No. 180865 of the 3½ per cent. loan of 1842-43 for Rs. 500, originally standing in the name of Taruck Nauth Jhoory and last endorsed to Aughor Moni Dassi (since deceased) and Note No. 312262 of the 3½ per cent. loan of 1900-01 for Rs. 500, originally standing in the name of Aughor Moni Dassi (since deceased), the proprietress, by whom they were never endorsed to any other person, having been lost, notice is hereby given that payment of the above notes and the interest thereupon have been stopped at the Public Debt Office, Imperial Bank of India, Calcutta, and that application is about to be made for the issue of duplicate in favour of Prohlad Chandra Ghosh, certificate holder to the estate of the abovenamed deceased. The public are cautioned against purchasing or otherwise dealing with the abovementioned securities.

Name of the Advertiser—Prahla Chandra Ghose.

Residence—No. 23-1A, Justice Dwarkanath Road, P. O. Elgin Road, Bhowanipur, Calcutta.
(2130—3—1946)

In the matter of the Indian Companies Act, 1913, and

In the matter of the Thandi Ice Company, Limited.

NOTICE is hereby given that an Extraordinary General Meeting of the Company duly convened and held on the 26th November 1927 and at a subsequent confirmatory meeting held on the 10th December 1927, the following special resolutions were duly proposed and unanimously passed:

That the Company cannot continue its business and as it is advisable to wind up the same it is resolved that the Company be wound up voluntarily.

That Mr. G. Basu, Incorporated Accountant of 3-1, Bankshall Street, Calcutta, be hereby appointed liquidator.

A. K. GUHA, Chairman.
Calcutta, the 17th December 1927. (2160—1—1943)

In the matter of the Indian Companies Act, 1913, and

In the matter of the Thandi Ice Company, Limited (in liquidation).

THE creditors of the abovenamed Company are required on or before the 5th January 1928 to send their names and addresses and particulars of their debts and claims and the names and addresses of their Solicitors (if any) to Messrs. G. Basu and Company, Incorporated Accountants and Auditors (London), at 3-1, Bankshall Street, Calcutta, and if so required by notice in writing, are to come and prove their said debts and claims at

such time as shall be specified in such notice or in default thereof they will be excluded from the benefit of any distribution that may be made before such debts are proved.

G. BASU, Liquidator.

Calcutta, Salisbury House, 3-1, Bankshall Street, the 15th December 1927.
(2161—1—1944)

In the matter of the Indian Companies Act, 1913, and

In the matter of the Thandi Ice Company Limited (in liquidation).

NOTICE is hereby given pursuant to section 209 (1) of the Indian Companies Act, 1913, that a meeting of the creditors of the abovenamed Company will be held on Friday, the 6th January 1928, at 11-30 A.M. in the offices of Messrs. G. Basu and Company, Incorporated Accountants and Auditors (London), at Salisbury House, 3-1, Bankshall Street, Calcutta.

G. BASU, Liquidator.

Calcutta, the 15th December 1927. (2162—1—1945)

In the matter of the Indian Companies Act, 1913 (Act VII of 1913), and

In the matter of Kamala Bhandar, Ltd. (Mutual Benefit Society), in liquidation.

PURSUANT to section 217 of the Indian Companies Act, notice is hereby given that a final general meeting of the members of the above Company will be held at 61, Clive Street (2nd floor), Calcutta, on Sunday, the 12th February 1928, at 2 P.M., when the liquidators will lay before the meeting an account of the winding up showing how the properties of the Company have been disposed of and for considering and passing such resolutions as may be thought fit regarding the disposal of the books.

PRAMATHA NATH BHATTACHARYA,
UPENDRA NATH GHOSE,

Joint liquidators.

Calcutta, the 19th December 1927. (2168—1—1952)

Imperial Library.

(Secretariat Buildings, 6, Esplanade East, Calcutta.)

Open on ... { Weekdays and Saturdays from 10 A.M. to 7 P.M.
Sundays and holidays from 2 P.M. to 5 P.M.

The Imperial Library is also a Lending Library. It is free to all except children. There is no subscription to pay.

J. A. CHAPMAN, Librarian.

CINCHONA FACTORY PRODUCTS.

BY order of the Government of Bengal Cinchona Factory Products as manufactured and packed at the Cinchona Factory, Mungpoo, Darjeeling district, will be sold and distributed by the **Superintendent, Presidency Jail, in original packages** as received from the Mungpoo Factory at the rates noted below, **from the 1st May 1926:—**

Quinine Sulphate.			
For 60 lbs. and upwards at a time	...	...	Rs. 18 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	...	...	" 19 "
For any quantity less than 6 lbs.	...	...	" 20 "
Quinine Hydrochloride.			
For 60 lbs. and upwards at a time	...	...	Rs. 23 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	...	...	" 24 "
For any quantity less than 6 lbs.	...	...	" 25 "
Quinine Di-Hydrochlor.			
For 60 lbs. and upwards at a time	...	...	Rs. 25 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	...	...	" 26 "
For any quantity less than 6 lbs.	...	...	" 27 "
Quinoidine Sulphate.			
For 60 lbs. and upwards at a time	...	...	Rs. 20 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	...	...	" 21 "
For any quantity less than 6 lbs.	...	...	" 22 "
Cinchonidine Sulphate.			
For 60 lbs. and upwards at a time	...	...	Rs. 25 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	...	...	" 26 "
For any quantity less than 6 lbs.	...	...	" 27 "
Cinchonine Sulphate.			
For 60 lbs. and upwards at a time	...	...	Rs. 12 per lb.
For 6 lbs. and over but less than 60 lbs. at a time	...	...	" 13 "
For any quantity less than 6 lbs.	...	...	" 14 "
Cinchona Febrifuge (Powder).			
For 6 lbs. and over at a time	...	...	Rs. 9 per lb.
For any quantity less than 6 lbs.	...	...	" 10 "
Cinchona Febrifuge (Tablets).			
For 6 lbs. and over at a time	...	...	Rs. 10 per lb.
For any quantity less than 6 lbs.	...	...	" 11 "
Quinoidine (Tablets).			
For 6 lbs. and over at a time	...	...	Rs. 5 per lb.
For any quantity less than 6 lbs.	...	...	" 6 "
Quinoidine (In Mass).			
For 6 lbs. and over at a time	...	...	Rs. 4 per lb.
For any quantity less than 6 lbs.	...	...	" 5 "
Cinchona Bark (In 50 pound original bags).			
Per bag	...	...	Rs. 25.

Transit charges extra in every case.

Quinine Sulphate is for sale to Government Institutions and Missionaries only. It is not for sale to private Firms or the General Public.

Cinchona Febrifuge in Powder and Tablet form (when in stock) is for sale to Government Institutions, Missionaries and the General Public.

Quinine Sulphate will be supplied to Hospitals and Dispensaries of this Presidency only at the wholesale rate of Rs. 18 per lb., irrespective of quantities. For all other purchasers the rates given above will apply.

Provinces other than Bengal, Bihar and Orissa and Assam will get their supplies of Sulph Quinine from the Director, Botanical Survey of India, Shibpur, Howrah.

Local sale at the Jail gate from 2 to 4 P.M.

The system of payment is by—*Cash in advance*—by "*Treasury Chalcans*", which should accompany the order or indent.

In cases where this is not possible, payment should be made by "*Remittance Transfer Receipts*" or crossed "*cheques*".

Indents unaccompanied by cash in advance will be sent Value Payable Post. Credit sale is not allowed except under special circumstances.

In the case of *Government Officers* payments will be recovered by *Book Transfer, i.e., Countersigned Invoices* in the event of *Cash* not accompanying the indent by "*Treasury Chalcans*", *Remittance Transfer Receipt* or *Cheque*.

2. Price and postage must accompany the price of the drug (when the drug is required by post).

3. The name of the Railway and Steamer Station or Post Office must be written distinctly when the parcels are required by Rail, Steamer or by Post. *Railway parcels are sent by passenger train only.*

4. A scale of postage is given below:—

For $\frac{1}{4}$ lb. 4 annas, $\frac{1}{2}$ lb. 5 annas, 1 lb. 8 annas, $1\frac{1}{2}$ lbs. 11 annas, 2 lbs. 14 annas, $2\frac{1}{2}$ lbs. Re. 1-1, 3 lbs. Re. 1-1, $3\frac{1}{2}$ lbs. Re. 1-4, 4 lbs. Re. 1-7, 5 lbs. Re. 1-13, $5\frac{1}{2}$ lbs. 1-13, 6 lbs. Rs. 2.

Two different drugs are not packed in the same parcel and postage must be paid separately for each kind.

N.B.—Postage stamps are not accepted as revenue.

Government reserve the right to alter the price without notice.

NOTICE.

Advertisements, Notices, etc., intended for insertion in this Part of the Gazette cannot be received after noon on Saturday.



The Calcutta Gazette

THURSDAY, OCTOBER 20, 1927.

PART III.

Acts of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 2320L., dated Calcutta, the 18th October, 1927.—In pursuance of the provisions of sub-section (3) of section 81 of the Government of India Act, the following Act of the Local Legislature of Bengal having been assented to by the Governor-General on the 12th October, 1927, is hereby published for general information :—

BENGAL ACT I OF 1927.**THE CALCUTTA VEHICLES ACT, 1927.**

An Act to provide for the better control of horse-drawn vehicles in Calcutta.

WHEREAS it is expedient to provide for the better control of horse-drawn vehicles in Calcutta;

It is hereby enacted as follows:—

PART I.**Preliminary.**

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Calcutta Vehicles Act, 1927.

(2) It shall apply in the first instance only to Calcutta.

(3) It shall come into force on such date as the Local Government may, by notification, direct.

Further
provisions
as to
extent.

2. The Local Government may, by notification—

(a) extend this Act or any portion thereof, to any town or local area other than Calcutta; and

(b) exclude from, or include in, Calcutta or any other town or local area to which this Act is extended under clause (a), any local area in the vicinity of the same and defined in the notification:

Provided that no notification under this section shall be published in respect of any area included in a Military Cantonment without the previous sanction of the Governor General in Council.

Provided also that, before finally publishing any notification under this section, the Local Government shall publish a draft of the same in such manner as it may think fit, and any rate-payer or inhabitant of the area affected by such draft may, if he objects to the draft, submit his objection in writing to the Local Government within six weeks from its publication, and the Local Government shall take such objection into consideration.

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context,—

(1) "Calcutta" means subject to the exclusion or inclusion of any local area by notification under clause (b) of section 2, the area described in Schedule I to the Calcutta Municipal Act, 1923;

(2) "notification" means a notification published in the *Calcutta Gazette*;

(3) "prescribed" means prescribed by rules under this Act;

(4) "public place" means a road, street, way or other place, whether a thoroughfare or not, to which the public are granted access or over which they have a right to pass;

Ben. Act
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1923.

The Calcutta Vehicles Act, 1927.

(Sections 4—10.)

- (5) "vehicle" means any wheeled vehicle drawn by a horse or horses and used for the conveyance of human beings; but does not include a hackney-carriage as defined in section 4 of the Calcutta Hackney-carriage Act, 1919. Ben. Act I of 1919.

PART II.**Provisions of General Application.**

Prohibition of driving vehicles by persons under eighteen.

4. (1) No person under the age of eighteen years shall drive a vehicle in any public place.

(2) No owner or person in charge of a vehicle shall allow any person under the age of eighteen years to drive the same in any public place; and in the event of a contravention of sub-section (1), the Court may presume that the vehicle was driven with the consent of the owner or person in charge.

Duty to stop vehicle for regulating traffic and in case of accident.

5. The person in charge of a vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary—

- (a) when required to do so by any police-officer for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder, or
- (b) when he knows or has reason to believe that an accident has occurred to any person or to any animal or conveyance in charge of a person owing to the presence of the vehicle, and he shall also give his name and address and the name and address of the owner of such vehicle, to any police-officer in uniform present or to any person reasonably requesting such names and addresses.

Reckless driving.

6. Whoever drives a vehicle in a public place recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and the amount of traffic which actually is at the time or which might reasonably be expected to be, in the place, shall, on conviction, be punishable with fine which may extend to five hundred rupees.

PART III.**Licensing and Control.**

Licensing of drivers.

7. (1) No person shall drive a vehicle in a public place unless he is licensed in the prescribed manner, and no owner or person in charge of a vehicle shall allow any person who is not so licensed to drive it.

Transfer of licence.

8. The holder of a licence shall not allow it to be used by any other person.

Production of licence.

9. The driver of a vehicle shall produce his licence upon the spot when required by any police-officer to do so.

Extent of validity of licence to drive.

10. Every licence to drive a vehicle shall be valid in such area as may be specified therein.

*The Calcutta Vehicles Act, 1927.**(Sections 11—13.)***Registration
of vehicles.**

11. (1) The owner of every vehicle shall cause it to be registered in the prescribed manner.

(2) Such registration shall be valid in such area as may be specified in the certificate of registration.

**Power of
Local Govern-
ment to make
rules.**

12. (1) The Local Government, subject to the condition of previous publication, shall make rules for the purpose of carrying into effect the provisions of this Act and of regulating, in the whole or any part of Bengal, the use of vehicles or any class of vehicles in public places.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Local Government may make rules for all or any of the following purposes, namely:—

- (a) providing for the registration of vehicles, and the conditions subject to which they may be registered, the fees payable in respect of and incidental to registration, the notification of any changes of ownership, and the area in which, and the duration for which, certificates of registration shall be valid;
- (b) providing for facilitating the identification of vehicles by the assignment to them of distinguishing numbers and the displaying upon them of number and name plates, or in any other manner;
- (c) regulating the construction and equipment of vehicles, including the provision and use of lights, bells or other appliances;
- (d) prescribing the authority by which, and the conditions subject to which, drivers of vehicles or any class of such drivers may be licensed, the fees payable in respect of such licences, and the area within which, and the duration for which licences shall be valid;
- (e) prescribing the authority by which, and the conditions and limitations subject to which, licences may be suspended or cancelled;
- (f) prescribing the precautions to be observed when vehicles are standing in any public place;
- (g) prohibiting or regulating the driving of vehicles in public places, where their use may, in the opinion of the Local Government, be attended with danger or inconvenience to the public;
- (h) prescribing the authority who shall give and the manner of giving the notice referred to in section 13; and
- (i) providing generally for the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the *Calcutta Gazette*; and, on such publication, shall have effect as if enacted in this Act.

**Posting of
notices.**

13. The prescribed authority shall give, in the prescribed manner, public notice of any rule, made by the Local Government under section 12, prohibiting or regulating the driving of vehicles in any public place; and for the purpose of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers.

The Calcutta Vehicles Act, 1927.

(Sections 14—17.)

Power to
Local
Government
to exclude
areas and to
exempt
vehicles
from this
Part.

14. The Local Government may, by notification, exclude any area specified in such notification from the operation of this Part; and may, by a like notification, exempt either generally or for a specified period any vehicle or class of vehicles from the operation of all or any of the provisions of this Part.

PART IV.**Miscellaneous.**

Penalties.

15. Whoever contravenes any of the provisions of this Act or of any rule made thereunder shall, if no other penalty is elsewhere provided in this Act for such contravention, be punishable with fine which may extend to one hundred rupees, and, in the event of such person having been previously convicted of an offence under this Act or any rule made thereunder, with fine which may extend to two hundred rupees.

Cognisance
of offences.

16. No Court inferior to that of a Presidency Magistrate or a Magistrate of the second class shall try any offence punishable under this Act or any rule made thereunder.

Cancellation
and suspen-
sion of
licence and
disqualifica-
tion for
obtaining
licence.

17. (1) The Local Government may, in its discretion, declare any person disqualified for obtaining a licence under this Act either permanently or for such period as it thinks fit.

(2) The prescribed authority may, subject to such conditions and limitations as may be prescribed, cancel or suspend any licence granted under this Act.

(3) Any Court by which any person is convicted of an offence against the provisions of this Act or any rule made thereunder or of any offence in connection with the driving of a vehicle shall, if such person holds a licence under the Act, cause particulars of the conviction to be endorsed thereon and may, in respect of such person and of his licence, if any, exercise the like powers as are conferred by sub-section (1) on the Local Government and by sub-section (2) on the prescribed authority:

Provided that no order made by a Court under this sub-section shall affect any person or licence for a period exceeding one year from the date of such conviction.

(4) Any Court before which the holder of a licence under this Act is accused of any offence mentioned in sub-section (3) may suspend such licence until the termination of the proceedings before it.

(5) A copy of every order of cancellation, suspension or disqualification made under this section in respect of a licence or the holder of a licence shall be endorsed on the licence, and a copy of every endorsement, in accordance with the provisions of this section, shall be sent to the authority by which such licence has been granted.

(6) Every holder of a licence shall, when called upon to do so, produce his licence before any authority acting under this section.

(7) A person whose licence has been cancelled or suspended in accordance with the provisions of this section, shall, during the period for which such order of cancellation has effect, or during the period of suspension, as the case may be, be disqualified for obtaining a licence.

*The Calcutta Vehicles Act, 1927.**(Section 17.)*

(8) No person whose licence has been endorsed or who has been disqualified for obtaining a licence shall apply for, or obtain, a licence without giving particulars of such endorsement or disqualification.

A. M. HUTCHISON,

*First Assistant Secretary to the Government of Bengal and
Assistant Secretary to the Bengal Legislative Council.*



The Calcutta Gazette

THURSDAY, JULY 14, 1927.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1447L., dated Calcutta, the 11th July, 1927.—His Excellency the Governor having been pleased to order, under rule 18 of the Bengal Legislative Council Rules, 1920, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

THE BENGAL LAND DEVELOPMENT BILL, 1927.**CONTENTS.**

Preamble.

CHAPTER I.**PRELIMINARY.****CLAUSE.**

1. Short title, extent and commencement.
2. Definitions.
3. Matters which may be provided for in a land development scheme.

CHAPTER II.**DECLARATION OF INTENTION TO MAKE A LAND DEVELOPMENT SCHEME AND PREPARATION OF DRAFT SCHEME.**

4. Areas in respect of which land development schemes may be made.
5. Application of owners to local authority to make a land development scheme.
6. Declaration of local authority's intention to make a scheme.
7. Hearing of objections and making of draft scheme.
8. Sanction of Local Government to scheme.
9. Notification of sanction to draft scheme.
10. Contents of draft scheme.
11. Re-constituted plots.
12. Restriction of building after declaration of intention to make a scheme.
13. Power of Local Government to supersede local authority which fails to make or execute a scheme.

CHAPTER III.**TOWN-PLANNING SCHEMES.**

14. Duty of certain local authorities to make a town-planning scheme.
15. Matters which may be provided for in a town-planning scheme.
16. Allotment of areas for residential purposes, trades, etc.
17. Making and publication of town-planning scheme.
18. Sanction of town-planning scheme.
19. Restriction on building and establishment of offensive trades in area of town-planning scheme.
20. Execution of town-planning schemes.

CHAPTER IV.**ARBITRATION AND APPEALS.**

21. Appointment of arbitrator.
22. Arbitrator to hold sittings, and to endeavour to reconcile interests of persons concerned.
23. Notice to persons interested.
24. Power to require and enforce the making of statements as to names and interests.

CLAUSE.

25. Hearing of claims and objections.
26. Disputed claims to original plots.
27. Matters to be decided by the arbitrator.
28. Allotment of reconstituted plots.
29. Demarcation by arbitrator.
30. Transfer of rights from original to re-constituted plots, or extinction of such rights.
31. Compensation for original plots in place of which no re-constituted plot can be provided.
32. Compensation for property or rights injuriously affected by a scheme.
33. Buildings constructed in contravention of section 12 to be omitted in estimating values.
34. Costs of a land development scheme.
35. Local authority to determine estimated cost of works to be executed under a land development scheme.
36. Method of calculating share of general costs of scheme and share in re-constituted plots to which each owner is entitled.
37. Penalty for injuriously affecting certain property included within a scheme.
38. Powers of arbitrator to vary the draft land development scheme.
39. Decision of arbitrator to be final except in certain matters.
40. Procedure in respect of appeals.
41. Payment of costs of Tribunal.
42. Arbitrator to forward the final land development scheme to Local Government.
43. Contribution of local authority towards the costs of a scheme.
44. Refusal to sanction final land development scheme.
45. Notification of sanction of final scheme.
46. Arbitrator to make over schemes, etc., to local authority.
47. Procedure when arbitrator reports satisfactory scheme impracticable.
48. Removal of arbitrator and appointment of another in his place.
49. Power of arbitrator to compel attendance of witnesses.
50. Arbitrator, etc., to be deemed public servants.

CHAPTER V.

EXECUTION AND FINANCE OF LAND DEVELOPMENT AND TOWN-PLANNING SCHEMES.

51. Effect of final land development scheme.
52. Power of local authority to evict summarily.
53. Local authority to carry out work under final land development scheme.
54. Power of local authority to remove buildings, etc., which contravene land development scheme and to carry out work in default.
55. Payment and recovery of costs of land development scheme.
56. Recovery and payment of amounts due from owners of re-constituted plots.
57. Payment by adjustment of account.
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59. Payment of net amount due to local authority.
60. Power to local authority to advance a sum for the erection of a dwelling-house.
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CHAPTER VI.

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CLAUSE.

63. Joint town-planning schemes.
64. Power to vary or revoke a land development scheme.
65. Compensation when final land development scheme is varied or revoked.
66. Right of entry and survey.
67. Indemnity to local authority, etc.
68. Notice of suit against arbitrator, etc.
69. Registration of document, plan or map in connection with a final land development scheme not required.
70. Compulsory acquisition of land needed for a land development or town-planning scheme.
71. Procedure of local authority.
72. Service how to be effected.
73. Power of Local Government to make rules.

The Schedule.—Offensive and Dangerous Trades.

THE BENGAL LAND DEVELOPMENT BILL, 1927.

[NOTE.—“1915” in the right hand margin means the Bombay Town Planning Act, 1915 (Bom. Act 1 of 1915).]

A

BILL

to provide for the making and execution of land development schemes and town-planning schemes in Bengal.

Preamble.

WHEREAS it is expedient that the development of certain areas in Bengal should be regulated with the general object of securing proper sanitary conditions, amenity and convenience and of providing suitable building sites and affording facilities for the erection of dwelling-houses in connection with the laying out and use of such areas and the neighbouring areas; [Cf. 9 Edw. 7, c. 44, s. 54 (1).]

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80A of the Government of India Act to the passing of this Act; 5 & 6 Geo. 5 c. 61; 6 & 7 Geo. 5, c. 37; 9 & 10 Geo. 5, c. 101.

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Act may be called the Bengal Land Development Act, 1927. [Cf. 1915, s. 1 (1).]

(2) It extends to—

- (a) Calcutta, as defined by clause (11) of section 3 of the Calcutta Municipal Act, 1923; Ben. Act III of 1923.
- (b) the municipality of Howrah;
- (c) all other municipalities in Bengal having at the commencement of this Act a population of not less than thirty thousand and an annual income of not less than fifty thousand rupees; and
- (d) any other municipal area in the neighbourhood of Calcutta to which any of the provisions of the Calcutta Improvement Act, 1911, has been extended under sub-section (3) of section 1 of that Act. Ben. Act V of 1911.

(3) The Local Government may, by notification, extend this Act to any municipality not mentioned in sub-section (2) on the previous application of the Commissioners of that municipality at a meeting:

Provided that before finally publishing any notification under this sub-section, the Local Government shall publish a draft of the same in the *Calcutta Gazette*, and any rate-payer or inhabitant of the municipality affected by such draft may, if he objects to the draft, submit his objection in writing to the Local Government within six weeks from its publication, and the Local Government shall take such objection into consideration.

(4) This Act shall come into force in any area to which it extends or may be extended under sub-section (3) of this section on such date as the Local Government may, by notification, direct.

*The Bengal Land Development Bill, 1927.**(Chapter I.—Preliminary.—Clause 2.)*

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) “building” includes a house, out-house, stable, privy, urinal, shed, hut, wall and any other such structure, whether of masonry, bricks, wood, earth, metal or any other material whatsoever; [Cf. Bom. Act III of 1888, s. 3 (g).]

(2) “local authority” means—

(a) in the case of Calcutta, the Corporation of Calcutta constituted under the Calcutta Municipal Act, 1923; Ben. Act III of 1923.

(b) in the case of any area constituted a municipality under the Bengal Municipal Act, 1884, the Commissioners of such municipality at a meeting; Ben. Act III of 1884.

(3) “Magistrate”—

(a) in Calcutta, means a Municipal Magistrate appointed under section 531 of the Calcutta Municipal Act, 1923; Ben. Act III of 1923.

(b) outside Calcutta, means a District Magistrate, Subdivisional Magistrate or any Magistrate subordinate to a District Magistrate who is specially empowered by that officer to perform all or any of his functions under this Act; [Cf. Act IV of 1912, s. 3 (6).]

(4) “notification” means a notification published in the *Calcutta Gazette*;

(5) “original plot” means a plot as it stands at the time when a draft land development scheme is made in respect thereof under this Act;

(6) “owner” includes the person recorded as owner in the assessment book kept under section 143 of the Calcutta Municipal Act, 1923, or in the valuation and rating list prepared under section 103 of the Bengal Municipal Act, 1884; Ben. Act III of 1923. Ben. Act III of 1884.

(7) “plot” means a continuous portion of land held in one ownership, other than land used, allotted or reserved for any public purpose; [Cf. 1915, s. 2 (d).]

(8) “prescribed” means prescribed by rules under this Act;

(9) “re-constituted plot” means a plot shown in the lay-out of a land development scheme made in respect thereof under this Act;

(10) “scheme” includes a plan relating to a land development scheme or a town-planning scheme, as the case may be; [Cf. 1915, s. 2 (f).]

(11) “street” means a street, road, lane, path or passage, whether a thoroughfare or not, and includes the drains (if any) attached thereto; [Cf. Ben. Act III of 1923, s. 3 (57).]

(12) the expressions “land”, “person interested” and “persons entitled to act” have the same meaning as in clauses (a), (b) and (g), respectively, of section 3 of the Land Acquisition Act, 1894; I of 1894.

The Bengal Land Development Bill, 1927.

(Chapter I.—Preliminary.—Chapter II.—Declaration of intention to make a land development scheme and preparation of draft scheme.—Clauses 3—5.)

Matters which may be provided for in a land development scheme.

3. In a land development scheme provision may be made for all or any of the following matters, namely:— [Cf. 1915, s. 3.]

- (a) the construction, diversion, widening, alteration or closing of streets;
- (b) the construction, alteration or removal of bridges, culverts, buildings and other structures of any kind whatsoever;
- (c) the setting back of buildings for the purpose of improving the alignment of a street;
- (d) the laying out, raising or levelling of land for building sites, including the rearrangement and alteration of the boundaries of plots;
- (e) the allotment or reservation of land for open spaces, schools or any public purpose of advantage to the area;
- (f) drainage, including outfall works and sewage disposal;
- (g) lighting;
- (h) water-supply;
- (i) the preservation of objects of historical interest or natural beauty and of buildings used for religious purposes or regarded by the public with special veneration;
- (j) such other matters not inconsistent with the objects of this Act as may be prescribed.

CHAPTER II.

DECLARATION OF INTENTION TO MAKE A LAND DEVELOPMENT SCHEME AND PREPARATION OF DRAFT SCHEME.

Areas in respect of which land development schemes may be made.

4. A land development scheme may be made in respect of any area which is in the course of development for building purposes, or which, in the opinion of the local authority, may with advantage be developed for such purposes. [Cf. 1915, s. 8 (1).]

Application of owners to local authority to make a land development scheme.

5. (1) Application may be made to the local authority concerned to make a land development scheme in respect of any area specified in the application:

Provided that such application shall be in writing signed by the owners of not less than one half the land within the area to be affected by the scheme, and that such owners shall not be less than six in number, or where the total number of owners within the area is less than twelve, less than half the total number of such owners.

(2) The local authority shall thereupon fix a date for considering the application and shall give fifteen days' notice thereof to the applicants and to the other owners of land within such area.

(3) On the date so fixed the local authority shall consider any representations made regarding the application, and may then either reject the application or declare its intention to make a scheme in respect of the area specified, or of any greater or less area.

The Bengal Land Development Bill, 1927.

(Chapter II.—Declaration of intention to make a land development scheme and preparation of draft scheme.—Clauses 6—8.)

Declaration of local authority's intention to make a scheme.

6. The local authority may of its own motion declare its intention to make a land development scheme in respect of any area within its jurisdiction.

Hearing of objections, and making of draft scheme.

7. (1) A local authority making a declaration under section 5 or section 6 shall publish it in the prescribed manner and shall cause it to be published by notification, and the declaration shall fix a period (not being less than thirty days from the date of publication) within which the local authority will receive objections to the scheme.

(2) A plan of the area in respect of which it is intended to make a scheme, showing the general outline of the scheme and giving a rough estimate of its cost, shall be open to inspection by the public at all reasonable hours at the head office of the local authority for a period of thirty days from the date of publication of the declaration.

(3) The local authority shall serve a notice on every owner of land situated within the area comprised in the scheme, informing him that the scheme will be considered on a date (not being less than thirty days from the date of service of such notice) to be fixed by the local authority.

(4) On the date so fixed or on any subsequent date or dates to which the hearing may be adjourned, the local authority shall consider all objections received within the time specified in the notification, and shall hear such owners or other persons interested in the scheme as appear before it.

(5) The local authority may then make a draft land development scheme in respect of the whole or a part of the area referred to in the declaration of intention to make a scheme, or of such greater area as it thinks fit:

Provided that no additional land shall be included in the scheme unless the local authority has given at least thirty days' notice to the owners and other persons interested in such land and has heard the objections of such of them as appear before it on the date fixed.

(6) If the area comprised in the scheme is in Calcutta, or in an area to which any provision of the Calcutta Improvement Act, 1911, has been extended under subsection (3), of section 1 of that Act, the local authority shall send a copy of the notification referred to in subsection (1) to the Trustees for the Improvement of Calcutta constituted under that Act intimating that any representation which they may wish to make in regard to the scheme should be made by the date specified in the notification as the date within which the local authority will receive objections to the scheme.

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Sanction of Local Government to scheme.

8. (1) The sanction of the Local Government shall be necessary to a land development scheme made by the local authority.

(2) The local authority shall submit the draft land development scheme together with such plans, estimates and other particulars as may be necessary for the proper understanding thereof to the Local Government.

(3) The local authority shall also forward to the Local Government all objections and representations submitted with regard to such scheme and the minutes of all proceedings relating thereto.

The Bengal Land Development Bill, 1927.

(Chapter II.—Declaration of intention to make a land development scheme and preparation of draft scheme.—Clauses 9—12.)

(4) The Local Government shall consider every such scheme, and may—

- (a) sanction the said scheme, with such modification (if any) as it thinks fit, or
- (b) after stating its reasons, refuse to sanction the scheme, or
- (c) return it to the local authority for reconsideration.

(5) If within two months from the date of receipt of the scheme, the Local Government has not sanctioned the scheme with or without modification or refused to sanction it or returned it to the local authority for reconsideration, the scheme shall be deemed to have been sanctioned.

Notification of sanction to draft scheme.

9. Whenever the Local Government sanctions a draft land development scheme, it shall announce the fact by notification and shall specify the period within which the final scheme is to be prepared and forwarded to the Local Government as provided in sub-section (2) of section 43, and such notification shall be conclusive evidence that the draft scheme has been duly made and sanctioned.

[Cf. Ben. Act V of 1911, s. 49.]

Contents of draft scheme.

10. A draft land development scheme shall contain the following particulars, namely:—

[Cf. 1915, s. 11.]

- (a) the area, ownership and tenure of each original plot;
- (b) the area and position of each re-constituted plot;
- (c) a list of the original plots (if any) in place of which it has not been found possible to provide a re-constituted plot;
- (d) an estimate of the cost of the works to be executed by the local authority under the scheme;
- (e) a full description of all details of the scheme under such clauses of section 3 as may be applicable; and
- (f) any other prescribed particulars.

Re-constituted plots.

11. (1) In the draft land development scheme the size and shape of every re-constituted plot shall be so determined as to render it, so far as may be, suitable for building purposes.

[Cf. 1915, s. 12 (1).]

(2) A re-constituted plot shall, whenever possible, be allotted in place of every original plot.

(3) If at the time of the declaration of intention to make a land development scheme any original plot contains a masonry building, whether completed, or in course of erection, which will not interfere with the execution of the scheme, the re-constituted plot containing the said building shall be allotted to the owner of such building, unless such owner consents to its allotment to any other person.

Restriction of building after declaration of intention to make a scheme.

12. (1) Notwithstanding anything contained in any other enactment for the time being in force, when a local authority has published a declaration of intention to make a land development scheme—

[Cf. 1915, s. 15.]

- (a) no person shall, within the area comprised in the scheme (or, if the area of the scheme is subsequently revised, within such revised area), erect, re-erect, alter, add to, or in any way proceed with any building unless such person has applied for and obtained the

The Bengal Land Development Bill, 1927.

(Chapter II.—Declaration of intention to make a land development scheme and preparation of draft scheme.—Clause 12.)

necessary permission, which shall be contained in a certificate granted by the local authority in the prescribed form;

(b) such application shall be accompanied by plans in duplicate of the building showing all prescribed details;

(c) the local authority, on receipt of such application, shall at once furnish the applicant with a written acknowledgment of its receipt, and may either grant or refuse such certificate, or grant it subject to such conditions as may be consistent with the scheme; but if the local authority communicates no decision to the applicant within sixty days from the date of such acknowledgment, he shall be deemed to have been granted such certificate without conditions.

(2) If the local authority is satisfied that any work referred to in clause (a) of sub-section (1) has been commenced or is being carried on without a certificate, or otherwise than in accordance with the conditions imposed in such certificate, it may—

(i) by written notice require the person carrying on the work to stop the same, or

(ii) apply to a Magistrate for the demolition or alteration of the work, or

(iii) take action in accordance with both clause (i) and clause (ii).

(3) If any work is carried on upon any building in contravention of a notice issued under clause (i) of sub-section (2), any person directing or carrying on such work may be removed from the building by any police-officer.

(4) When an application has been made to a Magistrate under clause (ii) of sub-section (2), he may make an order directing that the work done, or so much of the same as has been executed in contravention of the provisions of sub-section (1),—

(a) be demolished by the owner of the building or altered by him to the satisfaction of the local authority, as the case may require, or

(b) be demolished or altered by the local authority at the expense of the owner of the building:

Provided that the Magistrate shall not make any such order without giving the owner of the building full opportunity of showing cause why such order should not be made.

(5) No person shall be entitled to compensation in respect of any damage, loss or injury resulting from any action lawfully taken by the local authority under this section.

(6) The restrictions imposed by sub-section (1) of this section shall cease to operate in the event of the Local Government refusing to sanction, or revoking, the draft scheme.

(7) Where a scheme is abandoned the local authority may, at its absolute discretion, pay such compensation as it may think fit to any person who was refused a certificate under clause (c) of sub-section (1).

The Bengal Land Development Bill, 1927.

(Chapter II.—Declaration of intention to make a land development scheme and preparation of draft scheme.—Chapter III.—Town-planning schemes.—Clauses 13—15.)

Power of Local Government to supersede local authority which fails to make or execute a scheme.

13. (1) If it appears to the Local Government that the local authority is not proceeding with the making or execution of a land development scheme with reasonable efficiency and despatch, it may direct the local authority either—

- (a) to proceed at once with the making or execution of the scheme to the satisfaction of the Local Government, or
- (b) to show cause why the Local Government should not appoint a person to supersede the local authority in the making and execution of the scheme.

(2) If the local authority fails to proceed with the making or execution of the scheme to the satisfaction of the Local Government, or does not show cause to the satisfaction of the Local Government under clause (b) of sub-section (1), the Local Government may appoint a person to exercise and perform all the powers and duties of the local authority in respect of such scheme and may fix the remuneration to be paid to such person and to the staff to be employed under him.

(3) Such person shall exercise and perform all the powers and duties of the local authority under this Act in respect of such scheme, and his remuneration and that of the staff employed under him shall be paid from the funds of the local authority, but shall not be included in the costs of the scheme.

CHAPTER III.

TOWN-PLANNING SCHEMES.

Duty of certain local authorities to make a town-planning scheme.

14. (1) In the municipalities of Calcutta and Howrah and in any other municipality or municipal area referred to in clauses (c) and (d) of sub-section (2) of section 1, the local authority shall, within three years from the commencement of this Act, make a scheme (hereinafter referred to as a town-planning scheme) in respect of the area within the local limits of its jurisdiction with the object of regulating and controlling the future development of the area.

(2) In any municipality to which this Act is extended under sub-section (3) of section 1 the local authority may at any time make a town-planning scheme in respect of the whole or any part of the area within the local limits of its jurisdiction.

Matters which may be provided for in a town-planning scheme.

15. In a town-planning scheme provision may be made for all or any of the following matters, namely:— [Of 1915, s. 3.]

- (a) the construction, widening, diversion, alteration or closing of streets;
- (b) the construction, alteration or removal of bridges, culverts, buildings and other structures of any kind whatsoever;
- (c) the allotment or reservation of land for open spaces, gardens, recreation grounds, schools, markets, libraries, hospitals, dispensaries and public purposes of all kinds;
- (d) drainage, including outfall works and sewage disposal;
- (e) places for the disposal of the dead;

*The Bengal Land Development Bill, 1927.**(Chapter III.—Town-planning schemes.—Clauses 16—18.)*

- (f) the preservation of objects of historical interest or natural beauty and of buildings used for religious purposes or regarded by the public with special veneration;
- (g) the acquisition of surplus land for the purpose of the recoupment of the costs of the scheme by sale, lease or otherwise as the local authority may think fit;
- (h) such other matters as may be considered necessary in order to control the future development of the area to which the scheme applies.

Allotment of areas for residential purposes, trades, etc.

16. (1) The local authority may also, subject to the prescribed conditions, provide in a town-planning scheme for the allotment of areas exclusively—

- (a) for residential purposes;
- (b) for the offensive and dangerous trades specified in the Schedule; and
- (c) for any other trade or industry which may be prescribed.

(2) The Local Government may, by notification, alter or add to, or cancel any part of the Schedule.

Making and publication of town-planning scheme.

17. (1) A local authority preparing a town-planning scheme shall publish in the prescribed manner, and shall cause to be published by notification a declaration of its intention to make a town-planning scheme specifying the area comprised in the scheme, and fixing a period (not being less than sixty days from the date of publication) within which the local authority will receive objections to the scheme.

(2) A plan of the said area showing the general outline of the scheme shall be open to inspection by the public at all reasonable hours at the head office of the local authority during the period fixed in the notification.

(3) The local authority shall appoint a time after the termination of such period for considering all objections so received, and shall hear such persons as appear before it.

(4) The local authority may thereafter make a town-planning scheme in respect of the whole or any portion of the area specified in the notification.

Sanction of town-planning scheme.

18. (1) The sanction of the Local Government shall be necessary to a town-planning scheme made by the local authority.

(2) The local authority shall submit the scheme to the Local Government, together with all objections received and the minutes of all proceedings relating thereto.

(3) The Local Government shall consider every such scheme, and may—

- (a) sanction the said scheme with such modification (if any) as it thinks fit, or
- (b) after stating its reasons, refuse to sanction the scheme, or
- (c) return it to the local authority for reconsideration.

(4) Whenever the Local Government sanctions a scheme under this section, it shall announce the fact by notification, and such notification shall be conclusive evidence that such scheme has been duly made and sanctioned.

*The Bengal Land Development Bill, 1927.**(Chapter III.—Town-planning schemes.—Clauses 19-20.)*

(5) If within six months from the date of receipt of the scheme the Local Government has not sanctioned the scheme with or without modification, or refused to sanction it, or returned it to the local authority for reconsideration, the scheme shall be deemed to have been sanctioned.

Restriction on building and establishment of offensive trades in area of town-planning scheme.

19. (1) When a town-planning scheme has been sanctioned, no trade specified in the Schedule, and no trade or industry prescribed under clause (c) of sub-section (1) of section 16 shall thereafter be established within the area comprised in the scheme except in conformity with the scheme.

(2) The provisions of section 12 shall apply to the area comprised in such scheme, as if the notification of the sanction of such scheme were the publication of a declaration of intention to make a land development scheme:

Provided as follows:—

- (a) if the building which it is desired to erect, re-erect, alter or add to, can in the opinion of the local authority, by a reasonable modification of the plans or a change of site or in some other way, be erected, re-erected, altered or added to, without substantial detriment or loss, in such a manner that it will be in conformity with the scheme, no compensation shall be payable; but if this is not in its opinion possible, the local authority shall pay reasonable compensation for any damage, loss or injury incurred;
- (b) the local authority, instead of paying compensation, may acquire the land upon which the building was to be erected, re-erected, altered or added to;
- (c) no compensation shall be payable in respect of any buildings intended to be used for or in connection with any offensive or dangerous trade specified in the Schedule, unless such buildings are situated within the area (if any) allotted in the scheme for offensive and dangerous trades.

Execution of town-planning schemes.

20. (1) The local authority may at any time proceed to carry out the whole or any part of a town-planning scheme, either by making and executing a land development scheme in respect of the whole or any part of such scheme or by acquiring land and carrying out the work from its own funds, or partly by the one method and partly by the other:

Provided that, if the whole or any part of a town-planning scheme is carried out by means of a land development scheme, the local authority shall bear the cost of main streets and of such open spaces, gardens, recreation grounds, schools, markets, libraries, museums, hospitals, and other public institutions or conveniences as are, in its opinion, required for the general purposes of the area as a whole.

(2) If any question arises as to whether the main streets and other public institutions or conveniences referred to in sub-section (1) are required for the general purposes of the area as a whole, any owner of, or other persons interested in, any land within the area of such land development scheme may demand that the matter be referred to the Local Government, whose decision thereon shall be final.

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 21—24.)*

CHAPTER IV.

ARBITRATION AND APPEALS.

Appointment of
arbitrator.

21. (1) After a land development scheme has been [Cf. 1915, s. 29.] sanctioned under section 8, the Local Government may appoint an arbitrator, whose powers and duties shall be such as are hereinafter provided.

(2) The Local Government shall fix the remuneration of the arbitrator subject to such maximum as may be prescribed, and may sanction such establishment to work under him as it considers necessary.

Arbitrator to
hold sittings, and
to endeavour to
reconcile interests
of persons
concerned.

22. The arbitrator shall hold sittings either within [Cf. 1915, s. 34.] the area of the land development scheme or in its immediate vicinity, and he shall endeavour, in so far as is consistent with the draft scheme (subject to such variations as are hereinafter permitted), to reconcile the conflicting interests of the various persons concerned and to settle amicably such disputes as may arise.

Notice to persons
interested.

23. (1) The arbitrator shall cause public notice to be [Cf. Act I of 1894, s. 9.] given in the prescribed form at convenient places in the area of the scheme, stating the particulars of the land to which the draft scheme relates and the manner in which the draft scheme may be obtained and shall, by a notice in the prescribed form, require all owners of, and other persons interested in, the land to appear personally or by agent before the arbitrator at a time and place therein mentioned at which he will hold his sittings (such time not being earlier than fifteen days after the date of publication of the notice) and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests. The arbitrator may require such statement to be made in writing and signed by the party or his agent.

(2) The arbitrator shall also serve a notice in the prescribed form to the same effect on all owners of original plots whose names appear in the draft scheme and on all such persons known or believed to be interested therein, or to be entitled to act for persons so interested, as reside or have agents authorized to receive service on their behalf, within the area of the scheme.

(3) If any owner of, or other person interested in, the land resides outside the area of the scheme, and has no such agent, the notice shall be sent to him by post in a letter addressed to him at his last known residence, address or place of business.

Power to require
and enforce the
making of
statements as to
names and
interests.

24. (1) The arbitrator may also require any of the [Cf. Act I of 1894, s. 10.] persons referred to in section 23 to make or deliver to him, at a time and place mentioned (such time not being earlier than fifteen days after the date of the requisition), a statement containing, so far as may be practicable, the name of every other person possessing any interest in the land or any part thereof as co-proprietor, sub-proprietor, mortgagee, tenant or otherwise, and the nature of such interest, and the rents and profits (if any) received or receivable on account thereof for three years next preceding the date of the statement, and the arbitrator shall serve a similar notice in the prescribed form on every such other person or his authorized agent, and if such other person resides outside the area of the scheme the provisions of sub-section (3) of section 23 shall apply to every such notice:

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 25—27.)*

Provided that no scheme shall be deemed to be invalid merely by reason of any accidental omission or *bonâ fide* mistake in the service of a notice under section 23 or under this section:

Provided also that the local authority may consider and adjudicate upon any claim for compensation which may be made to it by any person affected by any such omission or mistake in the service of such notice.

(2) Every person required to make or deliver a statement under section 23 or under this section shall be deemed to be legally bound to do so within the meaning of sections 175 and 176 of the Indian Penal Code.

Act XLV
of 1860.

Hearing of claims
and objections.

25. The arbitrator shall hear all the persons referred to in section 23 and sub-section (1) of section 24 who appear before him at such time as may be fixed by him or at any other time to which he may adjourn the hearing, and he shall consider and adjudicate upon all claims and objections, and, if in his opinion compensation should be allowed for the land, he shall apportion such compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether they have or have not appeared before him.

[Cf. Act I
of 1894,
s. 11.]

Disputed claims
to original plots.

26. (1) When there is a disputed claim as to the ownership of rights appertaining to any original plot, the arbitrator shall inquire into such claim, in so far as it affects the provisions of the land development scheme, and shall decide the claim for the purposes of the scheme.

[Cf. 1915,
s. 4.]

(2) A decision under sub-section (1) shall not be subject to appeal, but it shall not operate as a bar to a suit in a civil court.

(3) Whenever a civil court passes a decree which is inconsistent with any such decision, the decree shall be operative and be given effect to for the purposes of the scheme as soon as practicable after such decree has been brought to the notice of the local authority either by the civil court or by some person affected by such decree.

Matters to be
decided by the
arbitrator.

27. In accordance with the prescribed procedure, the arbitrator shall—

[Cf. 1915,
s. 30.]

(1) determine the size and position of the reconstituted plots and the owners of original plots to whom each is to be allotted;

(2) determine in a case in which a re-constituted plot is allotted to two or more persons in ownership in common, the shares of such persons;

(3) determine what right (other than rights of ownership) are to be transferred from original plots to re-constituted plots, and on what terms and conditions;

(4) determine what rights (other than rights of ownership) are to be extinguished, and on payment of what compensation and by whom and in what manner;

(5) determine which owners of original plots cannot, under the exigencies of the land development scheme, be provided with reconstituted plots, and what compensation shall be paid to such owners and to other persons interested in such plots, and in what manner;

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 28—31.)*

(6) determine what compensation shall be paid to the owner of, and other persons interested in, any property which is injuriously affected by the making of the land development scheme, and by whom and in what manner;

(7) estimate—

(a) the market value of the land of each original plot at the date of the declaration of intention to make a land development scheme, without reference to the improvements contemplated in the scheme, and

(b) the market value of all buildings standing on such plot at the time when the estimate is made;

(8) estimate the market value of each reconstituted plot with the buildings standing thereon, on the assumption that the land development scheme has been completed;

(9) subject to the provisions of section 20, apportion the estimated cost of carrying out all works to be executed by the local authority under the land development scheme among the owners of the re-constituted plots;

(10) determine the amount (if any) which every owner of a re-constituted plot is to pay or receive owing to the fact that the market value of the plot allotted to him (estimated on the assumption that the land development scheme has been completed) is more or less than his proportionate share calculated in the manner provided in section 36.

Allotment of re-constituted plots.

28. (1) In determining the size, position and ownership of re-constituted plots the arbitrator shall occasion as little disturbance of property as possible, and shall approximate the value of such plots as nearly as possible to the share (calculated in the manner provided in section 36) to which each owner is entitled.

(2) If two or more original plots belong to the same owner, the arbitrator may treat them as one for the purpose of allotting re-constituted plots in their place; and he may allot two or more re-constituted plots in place of one original plot.

(3) Every re-constituted plot shall, so far as possible, be made suitable for building purposes.

Demarcation by arbitrator.

29. The arbitrator may demarcate the re-constituted plots and the land required for streets, open spaces and other public purposes.

Transfer of rights from original to re-constituted plots, or extinction of such rights.

30. Any right in an original plot which, in the opinion of the arbitrator, is capable of being transferred wholly or in part, without prejudice to the making of the scheme, to a re-constituted plot, shall be so transferred, and any right in an original plot which, in the opinion of the arbitrator, is not capable of being so transferred, shall be extinguished: [Cf. 1915, s. 20.]

Provided that an agricultural lease shall not be transferred from an original plot to a re-constituted plot without the consent of all the parties to such a lease.

Compensation for original plots in place of which no re-constituted plot can be provided.

31. (1) If, on account of the smallness of the original plot or for any other reason, it is not possible, in the opinion of the arbitrator, to provide a re-constituted plot in place of any original plot, the arbitrator shall award reasonable compensation to the owner of, and other persons interested in, such plot.

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 32—34.)*

(2) Such compensation shall be equal to the market value of the land of the original plot at the date of the declaration of intention to make a draft scheme, without reference to the improvements contemplated in the scheme, *plus* the market value of all buildings standing on such plot at the time when the compensation is granted, *plus* an allowance of fifteen *per cent.* on the total of these values:

Provided that, in calculating the value of such buildings, the value of any building or part of a building constructed in contravention of section 12 shall be omitted.

Compensation for property or rights injuriously affected by a scheme.

32. (1) In determining the compensation to be paid to the owner of, and other persons interested in, any property which is injuriously affected by the making of the land development scheme, the arbitrator shall take the value of such property or of any right therein to be its market value at the date of the declaration of intention to make a scheme without reference to the improvements contemplated in the scheme. [Cf. 1915, ss. 21 and 22.]

(2) When any property or any right in any property is injuriously affected by reason of any provisions contained in a land development scheme, no compensation shall be paid in respect of such property or right if, or in so far as, the provisions are such as would have been enforceable without compensation under any Act for the time being in force, or any rule or by-law thereunder.

Buildings constructed in contravention of section 12 to be omitted in estimating values.

33. In estimating the market value of buildings under clauses (7) and (8) of section 27, the arbitrator shall omit the value of any building or part of a building constructed in contravention of section 12.

Costs of a land development scheme.

34. (1) The costs of a land development scheme shall include— [Cf. 1915, s. 16.]

- (a) the remuneration of the arbitrator, the salary and allowances of his staff and all office and contingent expenses duly incurred by him;
- (b) all sums payable to the Trustees for the Improvement of Calcutta on account of the costs of the Tribunal referred to in sub-section (2) of section 39, for hearing appeals from the decisions of the arbitrator;
- (c) all sums payable as compensation for the extinction of rights in original plots, other than rights of ownership which are not transferred to re-constituted plots;
- (d) all sums payable as compensation to owners of, or other persons interested in, original plots in place of which no re-constituted plot is provided;
- (e) all sums payable as compensation to the owner of any property or any right in any property which is injuriously affected by the making of the scheme;
- (f) the estimated cost of carrying out all works to be executed by the local authority under the scheme;
- (g) all legal expenses of the local authority incurred in the making or execution of the scheme;
- (h) such other sums payable in connection with the scheme as may be prescribed.

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 35-36.)*

(2) The sums referred to in clauses (a), (b), (d), (f) and (g) of sub-section (1) shall be payable proportionately by all the owners of re-constituted plots.

(3) The sums referred to in clause (c) of sub-section (1) shall be payable by the owners of the original plots to which such rights were attached.

(4) The sums referred to in clause (e) of sub-section (1) shall be payable either proportionately by all the owners of re-constituted plots or by individual owners of such plots, as the arbitrator, or the Tribunal or court referred to in sub-section (2) of section 39, may direct.

(5) The sums referred to in clause (h) of sub-section (1) shall be payable by such persons as may be prescribed.

(6) The sums referred to in sub-section (2), and such of the sums referred to in sub-sections (4) and (5) as are directed to be payable by all the owners of re-constituted plots, are hereinafter referred to as the general costs of a scheme.

Local authority to determine estimated cost of works to be executed under a land development scheme.

35. (1) The local authority shall determine the estimated cost of carrying out all works to be executed by it under a land development scheme referred to in clause (f) of sub-section (1) of section 34.

(2) If a majority of the owners of re-constituted plots undertake to carry out the work to the satisfaction of the local authority for a sum equal to or less than the sum estimated by the local authority, and if such owners enter into an agreement with the local authority to carry out the work to its satisfaction, and deposit such security as the local authority may require, the work shall be done by such owners under the supervision of the local authority.

Method of calculating share of general costs of scheme and share in reconstituted plots to which each owner is entitled.

36. (1) In order to—

- (a) apportion the general costs of a land development scheme between the owners of re-constituted plots, and
- (b) calculate the proportionate share in all the re-constituted plots within a land development scheme to which each owner of a re-constituted plot is entitled,

the arbitrator shall—

- (i) ascertain the total value of all the original plots belonging to such owners in the manner provided in clause (7) of section 27,
- (ii) ascertain the total value of all the re-constituted plots within the land development scheme in the manner provided in clause (8) of section 27, and
- (iii) ascertain the proportion which the value of the original plot or plots belonging to each of such owners [valued in the manner provided in clause (7) of section 27] bears to the total value ascertained under clause (i).

(2) The proportion ascertained under clause (iii) of sub-section (1) shall be the proportion of the general costs of the scheme payable by each of such owners; and the share to which each of such owners is entitled in the whole of the re-constituted plots shall be such fraction thereof as represents a value bearing the same proportion to the total value ascertained under clause (ii) of sub-section (1) as the share of costs payable by him bears to the general costs of the scheme.

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 37—39.)*

Illustration.—If the total value ascertained under clause (i) is Rs. 10 lakhs, the value of the original plots belonging to a particular owner is Rs. 1 lakh, the total value ascertained under clause (ii) is Rs. 12 lakhs, and the general costs of the scheme are Rs. 1½ lakhs; then the general costs of the scheme payable by such owner will be Rs. 15,000 (one-tenth of Rs. 1½ lakhs) and he will be entitled to re-constituted plots to the value of Rs. 1,20,000 (one-tenth of Rs. 12 lakhs).

Penalty for injuriously affecting certain property included within a scheme.

37. (1) When the decision of the arbitrator has been made under the provisions of this Act in respect of any land development scheme, no owner of any land or building shall, without the written permission of the arbitrator, in any way injuriously affect any land or building which in accordance with the provisions of the scheme is intended to pass into the ownership of another person; and if the arbitrator gives such permission, he shall at the same time decide what modifications shall in consequence be made in the amounts to be paid under the scheme or in any of the other particulars referred to therein.

(2) Any owner who contravenes the provision of subsection (1) shall be liable to a fine not exceeding five hundred rupees; and the local authority shall, so far as possible, restore the land or building injuriously affected to its former condition at the expense of such owner.

Powers of arbitrator to vary the draft land development scheme.

38. (1) The arbitrator shall, as far as possible, adhere to the draft land development scheme, but he may vary the same if he finds it necessary to do so: [Cf. 1915, s. 30 (10).]

Provided that, except with the consent of the local authority,—

(a) the estimated cost of the works to be executed by the local authority under the scheme and the provision proposed for streets and open spaces shall not be varied; and

(b) no variation shall be made in respect of the matters referred to in clauses (f) to (j) of section 3.

(2) If the arbitrator applies to the local authority for its consent to any variation under the proviso to subsection (1), the local authority may pass such orders as it thinks fit, and the arbitrator shall be bound to carry out such orders.

(3) If the Local Government has made any modification in sanctioning the scheme under clause (a) of subsection (4) of section 8, such modification shall not be varied except with the consent of the Local Government.

Decision of arbitrator to be final except in certain matters.

39. (1) Subject to the provisions of section 38, every decision of the arbitrator shall be final and conclusive and binding on all parties, except in the following matters:—

(a) the amount of compensation payable in respect of any right in any property, other than a right of ownership, which is to be extinguished;

(b) the amount of compensation payable to an owner of, or other person interested in, any original plot in place of which no re-constituted plot is provided; and

(c) the amount of compensation payable to the owner of any property or any right in any property which is injuriously affected by the making of the scheme.

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 40—43.)*

(2) An appeal shall lie in respect of any of the matters referred to in clauses (a), (b) and (c) of sub-section (1)—

(a) in the case of any area referred to in clauses (a), (b) or (d) of sub-section (2) of section 1,—to the Tribunal constituted under section 72 of the Calcutta Improvement Act, 1911, and

Ben. Act V
of 1911.

(b) in the case of any area referred to in clause (c) of sub-section (2) of section 1 and in the case of any area to which this Act may be extended under sub-section (3) of section 1,—to the principal civil court of original jurisdiction for that area.

Procedure in
respect of
appeals.

40. (1) No appeal shall be received by the aforesaid Tribunal or court unless it is filed within thirty days from the date of the communication to the party concerned of the decision of the arbitrator appealed against.

(2) In hearing appeals the Tribunal shall be guided by the rules made in this behalf under section 76 of the Calcutta Improvement Act, 1911.

Ben. Act V
of 1911.

(3) Every decision of the said Tribunal or court shall be final and conclusive and binding on all parties.

[*Cf.* 1915,
s. 37 (2).]

Payment of costs
of Tribunal.

41. (1) The President of the Tribunal shall certify what amount is payable in respect of the appeals heard by the Tribunal under each land development scheme, based upon the remunerations, salaries, allowances and contributions referred to in sections 73 and 74 of the Calcutta Improvement Act, 1911.

Ben. Act V
of 1911.

(2) The local authority shall pay the amount certified under sub-section (1) to the Trustees for the Improvement of Calcutta.

Arbitrator to
forward the final
land development
scheme to Local
Government.

42. When the aforesaid Tribunal or court has decided all appeals, or after the period of thirty days allowed for filing appeals has expired, the arbitrator shall forward the final land development scheme, in the prescribed form, through the local authority, to the Local Government, and shall state the date upon which he recommends that the scheme shall come into force, and the liabilities created by it shall take effect.

Contribution of
local authority
towards the costs
of a scheme.

43. (1) If the arbitrator is of opinion that the value, estimated in the manner provided in clause (8) of section 27, of the re-constituted plots is less than the value, estimated in the manner provided in clause (7) of that section, of the original plots in place of which the re-constituted plots are substituted (excluding the original plots in place of which no re-constituted plots have been provided), *plus* the general costs of the scheme, he shall recommend that the local authority shall contribute towards the cost of the scheme the amount of such deficit.

(2) In forwarding the final scheme to the Local Government the local authority shall state whether it accepts such recommendation and, if not, the grounds which it has to urge against it.

(3) If the Local Government directs that any sum be contributed by the local authority towards the cost of a scheme, such sum shall be deducted from the general costs of the scheme, and the share of such costs to be borne by each owner of a re-constituted plot shall be rateably reduced accordingly:

Provided that in connection with any scheme in Calcutta and its neighbourhood where the Trustees for the Improvement of Calcutta have jurisdiction, any sum directed to be contributed by the Local Government under this section shall be contributed equally by the local authority and the said Trustees.

*The Bengal Land Development Bill, 1927.**(Chapter IV.—Arbitration and Appeals.—Clauses 44—47.)*

Refusal to
sanction final
land development
scheme.

44. (1) The Local Government may, either upon the recommendation of the local authority or upon receipt of a representation from not less than half the owners of original plots, refuse to sanction the final land development scheme.

(2) If the Local Government refuses to sanction a final scheme under sub-section (1)—

(a) no new draft land development scheme shall be made in respect of any portion of the area of such scheme within a period of five years, and

(b) the Local Government shall direct by what persons interested in the scheme the costs incurred in making the scheme, including the draft scheme, shall be paid and in what proportion, and in doing so it may direct that the whole or any part of such costs shall be paid by the local authority.

(3) Such costs as are directed, under clause (b) of sub-section (2), to be paid by persons interested in the scheme shall be recovered by the local authority in the manner provided in section 61 for the recovery of sums due to a local authority under the provisions of this Act.

Notification of
sanction of
final scheme.

45. (1) Unless the Local Government refuses to sanction the final scheme under section 44, it shall sanction the same without modification and shall announce the fact by notification. [Cf. 1915, s. 40.]

(2) Such notification shall state—

(a) the date upon which such scheme shall come into force and the liabilities created by it shall take effect,

(b) the place where such scheme may be inspected by the public,

(c) the price at which copies of such scheme may be obtained,

(d) the contribution (if any) which the local authority is required to make towards the cost of the scheme, and

(e) the period within which the execution of the scheme is to be completed.

(3) On and after the date fixed in such notification the final scheme shall have effect as if it were enacted in this Act.

Arbitrator to
make over
schemes, etc., to
local authority.

46. Every arbitrator shall make over, or cause to be made over, all land development schemes, documents, estimates, plans, maps and papers in connection with such schemes to the local authority or other prescribed authority or officer.

Procedure when
arbitrator reports
satisfactory
scheme
impracticable.

47. (1) If at any time before the submission of the final scheme to the local authority the arbitrator is of opinion that it is not practicable to make a satisfactory scheme, he shall report accordingly to the local authority, who shall forward his report, with such remarks and recommendations as it thinks fit, to the Local Government.

(2) Upon receipt of such report, the Local Government may—

(a) direct that the scheme be abandoned, or

(b) pass such other orders as the circumstances of the case may require.

The Bengal Land Development Bill, 1927.

(Chapter IV.—Arbitration and Appeals.—Chapter V.—Execution and Finance of Land Development and Town-planning Schemes.—Clauses 48—53.)

(3) The costs of a scheme which is abandoned under clause (a) of sub-section (2) shall be paid by the local authority.

(4) The abandonment of a scheme under clause (a) of sub-section (2) shall not operate as a bar to the making of a new draft land development scheme in respect of the same area or any part thereof.

Removal of arbitrator and appointment of another in his place.

48. If it appears to the Local Government that the arbitrator has been guilty of misconduct or is not proceeding with a land development scheme with reasonable efficiency and despatch, it may remove such arbitrator from his office and appoint another person as arbitrator, with such remuneration and staff as it may think fit:

Provided that the Local Government shall, before removing an arbitrator under this section, consider any objections which the local authority or the persons interested in the scheme may urge against such action.

Power of arbitrator to compel attendance of witnesses.

49. An arbitrator appointed under this Act may [Cf. 1915, s. 44] summon and enforce the attendance of witnesses, including the parties interested or any of them, and compel them to give evidence and compel the production of documents by the same means and, as far as possible, in the same manner as is provided in the case of a civil court by the Code of Civil Procedure, 1908. Act V of 1908.

Arbitrator, etc., to be deemed public servants.

50. An arbitrator appointed under this Act, and every officer and servant appointed under such arbitrator shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. Act XLV of 1860.

CHAPTER V.

EXECUTION AND FINANCE OF LAND DEVELOPMENT AND TOWN-PLANNING SCHEMES.

Effect of final land development scheme.

51. On the date on which the final land development scheme comes into force— [Cf. 1915, s. 41.]

(a) all lands allotted to the local authority for streets, open spaces and other public purposes shall, unless it is otherwise determined in such scheme, vest absolutely in the local authority free from all encumbrances;

(b) all rights in original plots shall determine, and the re-constituted plots shall become subject to the rights settled by the arbitrator.

Power of local authority to evict summarily.

52. On and after the date on which the final land development scheme comes into force any person occupying any land which he is not entitled to occupy under the final scheme may, in accordance with the prescribed procedure, be summarily evicted by the local authority. [Cf. 1915, s. 42.]

Local authority to carry out work under final land development scheme.

53. (1) When the final land development scheme comes into force the local authority shall without delay proceed to carry out the work to be executed by it under the scheme, unless the work is to be carried out by a majority of the owners under sub-section (2) of section 35.

(2) Where the work is to be carried out by a majority of the owners under the said sub-section, if such owners make default or fail to proceed with or to carry out the work to the satisfaction of the local authority, the local authority may itself proceed to carry out the work.

*The Bengal Land Development Bill, 1927.**(Chapter V.—Execution and Finance of Land Development and Town-planning Schemes.—Clauses 54—58.)*

Power of local authority to remove buildings, etc., which contravene land development scheme and to carry out work in default.

54. (1) On and after the date on which the final land development scheme comes into force the local authority may, after giving the prescribed notice—

[Cf. 1915, s. 43.]

- (a) remove, pull down or alter any building or other work in the area included in the scheme which is such as to contravene the scheme, or in the erection or carrying out of which any provision of the scheme has not been complied with; and
- (b) execute any work which it is the duty of any person to execute under the scheme in any case in which it appears to the local authority that delay in the execution of the work would prejudice the efficient operation of the scheme.

(2) Any expenses incurred by a local authority under this section may be recovered from the person in default in the manner provided in section 61 for the recovery of sums due to a local authority under this Act.

Payment and recovery of costs of land development scheme.

55. (1) The costs of a land development scheme shall be borne in the first instance by the local authority, but the local authority shall recover all such costs as are payable under the final scheme by the owners of or other persons interested in re-constituted plots from such owners or other persons, in the manner provided in section 61 for the recovery of sums due to a local authority under this Act.

(2) The amount payable as the cost of carrying out all works to be executed by the local authority under the scheme shall provisionally be taken to be the estimated cost of such works as shown in the final scheme. The amount shall be finally determined by the local authority, on the completion of all such works by the local authority, on the basis of the actual costs of such works; and the local authority shall thereupon either be entitled to receive from or be liable to refund to the owners of, or other persons interested in, re-constituted plots, proportionately in accordance with their shares as shown in the final scheme, any amount by which the actual cost of such works may exceed or fall short of such estimate.

Recovery and payment of amounts due from owners of re-constituted plots.

56. The amounts which the owners of re-constituted plots have to pay under clause (10) of section 27 shall be recovered by the local authority in the manner provided in section 61 for the recovery of sums due to a local authority under this Act.

Payments by adjustment of account.

57. All payments due to any person from a local authority under this Act shall, as far as possible, be made by an adjustment in such person's account with the local authority in respect of the plot concerned or of any other plot in which he has an interest, and, failing such adjustment, shall be paid in cash or in such other way as may be agreed upon by the parties.

[Cf. 1915, s. 25.]

Power of local authority to borrow money for a town-planning or land development scheme.

58. (1) The local authority may borrow money under the Local Authorities Loans Act, 1914, or under any other enactment for the time being in force, to defray the costs of a town-planning or a land development scheme, including any contribution to such scheme which the local authority may be required to make or in order to make advances for the erection of dwelling-houses under section 60.

[Cf. 1915, s. 6.]
IX of 1914.

(2) Any expenses incurred by the local authority under this Act may be defrayed out of the funds of such local authority.

The Bengal Land Development Bill, 1927.

(Chapter V.—Execution and Finance of Land Development and Town-planning Schemes.—Chapter VI.—Miscellaneous.—Clauses 59—63.)

Payment of net amount due to local authority.

59. (1) The net amount payable under this Act by the owner of a re-constituted plot may, at the option of such owner, be paid in one sum or in such instalments, including charges for interest, as shall be fixed by the local authority with the sanction of the Local Government:

Provided that no interest shall be payable on any sum remaining due or unpaid for not more than six months from the date when the scheme comes into force.

(2) Such amount shall be a charge upon the re-constituted plot allotted to such owner, and shall be recoverable in the manner provided in section 61 for the recovery of sums due to a local authority under this Act.

(3) When more than one re-constituted plot is in the same ownership, the net amount payable by such owner under this Act shall be a charge upon all such plots, unless the local authority and the owner agree to a different method of distribution.

Power of local authority to advance a sum for the erection of a dwelling-house.

60. (1) The local authority may advance money to any owner of any re-constituted plot for the erection of a dwelling-house on the security of the said plot and the proposed building, and upon such terms and conditions as to repayment thereof with interest as the local authority may think fit.

(2) The local authority may from time to time make rules for regulating the maximum sum to be advanced, the rate of interest to be charged and the period of repayment and providing for such other terms and conditions as the local authority may think fit.

Recovery of sums due to local authority.

61. Any sum due to the local authority under this Act may be recovered by the local authority under the procedure for the time being in force for the recovery of local rates, and if not so recovered, the local authority may, after giving written notice of its intention to do so, and not less than one month after such notice, enter upon the land and sell the same, with any erection standing thereon, by public auction, and may deduct the said sum and the expenses of the sale from the proceeds of such sale, and shall pay the balance (if any) to the defaulter.

Local authority to keep accounts of each land development scheme.

62. The local authority shall keep separate accounts of all receipts and expenditure in connection with each land development scheme, and such accounts shall be audited in the same manner as municipal accounts with the same incidents and consequences.

CHAPTER VI.

MISCELLANEOUS.

Joint town-planning schemes.

63. (1) When two or more local authorities are of opinion that the interests of contiguous areas within their respective jurisdictions can best be served by the making of a joint town-planning scheme, and the Local Government agrees with such opinion, a Joint Town-Planning Board shall be constituted.

(2) Such Board shall be of such number of members as the Local Government may prescribe and shall consist of representatives elected by each of the several local authorities and persons nominated by the Local Government in the prescribed proportion:

Provided that the number of elected members shall not be less than two-thirds of the total number of members of the Board.

*The Bengal Land Development Bill, 1927.**(Chapter VI.—Miscellaneous.—Clauses 64—67.)*

(3) The representatives of the several local authorities shall be elected in the prescribed manner on dates to be appointed by the Local Government.

(4) Where such Board consists of representatives of local authorities constituted under different Acts, the procedure of the Board shall be regulated in accordance with the procedure of such local authority represented on the Board as the Local Government may direct.

(5) Such Board, when duly constituted, shall make a declaration of intention to make a joint town-planning scheme in respect of the contiguous areas in the manner provided in section 17, and thereafter the procedure shall follow all the provisions of this Act in respect of declarations made under that section, and such Board shall have all the powers and be liable to all the duties of a local authority under this Act.

(6) The draft joint town-planning scheme shall specify the parts of the scheme to be executed by the several local authorities in the several contiguous areas, and the several parts of the scheme shall, when notified in the final scheme, have effect in the several contiguous areas as if they were separate schemes:

Provided that any part of a joint town-planning scheme may be executed jointly by two or more local authorities.

Power to vary or
revoke a land
development
scheme.

64. (1) A land development scheme may at any time be varied or revoked by a subsequent scheme prepared, published and sanctioned in accordance with this Act. [Cf. 1915, s. 46.]

(2) The Local Government, on the application of the local authority or of any person appearing to be interested, may at any time, by notification, revoke a land development scheme, if it thinks that under the special circumstances of the case the scheme should be so revoked.

(3) The costs of a land development scheme which is varied or revoked under this section shall be paid by the local authority, or by the owners of, and other persons interested in, the land comprised in the scheme, or partly by the one and partly by the other, according as the Local Government may direct.

(4) All costs payable by owners and other persons interested in the scheme shall be recovered by the local authority in the manner provided in section 61 for the recovery of sums due to a local authority under this Act.

Compensation
when final land
development
scheme is varied
or revoked.

65. If at any time after the date on which a final land development scheme has come into force such scheme is varied or revoked, any person who has incurred expenditure for the purpose of complying with such scheme shall be entitled to receive compensation from the local authority, in so far as any such expenditure is rendered abortive by reason of the variation or revocation of such scheme. [Cf. 1915, s. 47.]

Right of entry
and survey.

66. For the purpose of the preparation or execution of any land development scheme or town-planning scheme, any person authorized by the local authority, or any person duly elected, appointed or authorized under this Act may, after giving the prescribed notice to the owner, occupier or other person interested in any land or building, enter upon, survey and mark out such land or building and do all acts necessary for such purposes. [Cf. 1915, s. 5.]

Indemnity to
local authority
etc.

67. No suit shall be maintainable against any local authority or any arbitrator or any officer or servant duly elected, appointed or authorized under this Act in respect of anything lawfully and in good faith and with due care and attention done under this Act or any rule made hereunder. [Cf. Ben. Act V of 1911, s. 155.]

*The Bengal Land Development Bill, 1927.**(Chapter VI.—Miscellaneous.—Clauses 68—72.)*

- 68.** No suit shall be instituted against any arbitrator appointed under this Act, or any officer or servant appointed under such arbitrator, or any person acting under the direction of any such arbitrator, officer or servant, in respect of any act purporting to be done under this Act or any rule made hereunder, until the expiration of one month next after written notice has been delivered or left at the office or place of abode of such arbitrator, officer, servant or person, stating the cause of action, the name and place of abode of the intending plaintiff, and the relief which he claims; and the plaint must contain a statement that such notice has been so delivered or left. [Cf. Ben. Act V of 1911, s. 156.]
- 69.** (1) Nothing in the Indian Registration Act, 1908, shall be deemed to require the registration of any document, plan or map prepared, made or sanctioned in connection with a final land development scheme which has come into force and which has not been revoked. [Cf. 1915, s. 50.] XVI of 1908.
- (2) All such documents, plans and maps shall, for the purposes of sections 48 and 49 of the Indian Registration Act, 1908, be deemed to have been and to be registered in accordance with the provisions of that Act and shall be kept in the safe custody of the local authority or of such other authority as may be prescribed.
- (3) The local authority shall, on application in this behalf, allow inspection or give certified copies of all such documents, plans or maps in such manner and subject to the payment of such fees as may be prescribed, and it shall be lawful for such certified copies to be given in evidence of the contents of the originals of which they purport to be copies.
- 70.** Where a local authority, for the purpose of a land development scheme or a town-planning scheme, desires the Local Government to acquire on behalf of such local authority, permanently or temporarily, any land or any right in respect of land under the provisions of the Land Acquisition Act, 1894, or of any other existing law, the Local Government may, at the request of the local authority, acquire such land or such right under the aforesaid provisions and, on payment by the local authority to the Local Government of the compensation awarded thereunder and of the charges incurred by the Local Government in connection with the proceedings, the land or right, as the case may be, shall vest in the local authority. [Cf. U. P. Act II of 1916, s. 117.] I of 1894.
- 71.** The procedure of a local authority under this Act shall be regulated by the provisions relating to such procedure in the Act under which the local authority is constituted, so far as the same may be applicable.
- 72.** Every notice, bill, order or document which is by or under this Act or any rule made hereunder required or authorized to be served upon, issued or presented to any person as owner or occupier of any building or land shall be deemed to be properly addressed if directed to the "owner" or "occupier" of the premises (naming the premises) and may be served, issued or presented by delivering it, or a true copy thereof, to some person on the premises, or, if there be no person on the premises to whom the same can with reasonable diligence be delivered, by affixing it to some conspicuous part of the premises. [Cf. Ben. Act V of 1911, s. 166.]

Notice of suit
against
arbitrator, etc.

Registration of
document, plan
or map in
connection with
a final land
development
scheme not
required.

Compulsory
acquisition of
land needed for a
land development
or town-planning
scheme.

Procedure of
local authority.

Service how to be
effected.

*The Bengal Land Development Bill, 1927.**(Chapter VI.—Miscellaneous.—Clause 73.)*

Power of Local Government to make rules.

73. (1) The Local Government may, after previous publication, make rules for carrying out the purposes of this Act. [Cf. 1915, s. 52.]

(2) In particular, and without prejudice to the generality of the foregoing power, the Local Government may make rules prescribing—

- (a) the matters for which provision may be made in a land development scheme, under clause (j) of section 3;
- (b) the manner of publication of a declaration of intention to make a land development scheme, under sub-section (1) of section 7;
- (c) the particulars to be included in a draft land development scheme, under clause (f) of section 10;
- (d) the form of certificate to be granted by a local authority under clause (a) of sub-section (1) of section 12;
- (e) the details to be shown in the plans of a building accompanying an application under clause (b) of sub-section (1) of section 12;
- (f) the conditions subject to which areas may be allotted for the purposes of sub-section (1) of section 16 and the trades or industries for which areas may be allotted under clause (c) of that sub-section;
- (g) the manner of publication of the intention of a local authority to make a town-planning scheme, under sub-section (1) of section 17;
- (h) the maximum remuneration to be given to an arbitrator, under sub-section (2) of section 21;
- (i) the form of public notice to be given by the arbitrator under sub-section (1) of section 23, and the form of the notices to be served by him on the persons referred to in sub-sections (1) and (2), respectively, of that section;
- (j) the procedure to be followed by the arbitrator in performing his functions under section 27;
- (k) the sums payable in connection with a land development scheme to be included in the costs of the scheme, under clause (h) of sub-section (1) of section 34;
- (l) the persons by whom the sums referred to in clause (h) of sub-section (1) of section 34 are to be payable, under sub-section (5) of that section;
- (m) the form in which the arbitrator is to draw up the final land development scheme, under section 42;
- (n) the authority or officer to whom schemes, documents, estimates, plans, maps and papers are to be made over by the arbitrator under section 46;
- (o) the procedure to be followed by the local authority in summarily evicting a person under section 52;
- (p) the notice to be given by the local authority before taking action under sub-section (1) of section 54;
- (q) the number of members of a Joint Town-Planning Board and the proportion of elected and nominated persons on such Board, under sub-section (2) of section 63;

*The Bengal Land Development Bill, 1927**(The Schedule.)*

- (r) the manner of election of representatives of the several local authorities on a Joint Town-Planning Board, under sub-section (3) of section 63;
- (s) the notice to be given to owners and other persons under section 66;
- (t) the procedure for the safe custody of all schemes, documents, plans and maps under sub-section (2) of section 69; and the authority (if any) other than the local authority in whose custody they shall remain;
- (u) the fees to be paid for the inspection of documents, plans and maps and also for certified copies thereof under sub-section (3) of section 69, the manner in which and the officer or officers by whom such inspection is to be allowed, or such certified copies are to be given, and the form of any certificate required in connection with such copies;
- (v) the procedure to be adopted for securing co-operation on the part of the local authority with the owners or persons interested in land proposed to be included in a land development scheme at every stage of the proceedings by means of conferences and such other means as may be expedient; and
- (w) the procedure to be followed by the arbitrator under this Act.

THE SCHEDULE.

OFFENSIVE AND DANGEROUS TRADES.

(See sections 16 and 19.)

- (1) Casting metals.
- (2) Keeping a manufactory or place of business from which offensive or unwholesome smells, fumes or dust arise. [Cf. Ben. Act III of 1923, Sch. XIX.]
- (3) Storing, packing, pressing, cleansing, preparing or manufacturing, by any process whatever, any of the following articles, namely:—
 - Blood, horns, skins, fat, fish, manure, gunpowder, fireworks, kerosine oil, petroleum, saltpetre, spirits, sulphur, rags, bones, guts and glue.
- (4) Preparing or manufacturing bricks, *surki*, lime, tiles and pottery.
- (5) Keeping a knacker's yard or rice mill.

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to regulate the development of urban areas so as to secure proper sanitary conditions and public amenities to provide suitable building sites and to afford facilities for the erection of dwelling-houses. It extends in the first instance to Calcutta, Howrah, and all municipalities in Bengal with a population of not less than 30,000 and an annual income of not less than Rs. 50,000 and to any other municipal area in the neighbourhood of Calcutta to which any of the provisions of the Calcutta Improvement Act have been extended. At the same time power has been taken to extend its provisions to any other selected municipality on the previous application of the Commissioners of that municipality.

2. The object of the Bill will be carried out by initiating land development and town-planning schemes. The former class of schemes which will be executed as necessity arises are meant for the development of building sites in selected areas. Under such schemes all lands included in them will be "pooled" and treated as if the lands were owned in common, each owner being entitled to a share in the final distribution proportionate to the value of his original holding and being liable for the same proportionate share of the cost of the scheme. This method of procedure has the advantage of simplicity, besides being fair and equitable. The net amount payable by the owner of a reconstituted plot may at his option be paid in one or more instalments, and to help him to erect a dwelling-house, the local authority is authorized to advance money to him on the security of the plot. It is intended that land development schemes should be confined chiefly to areas in Calcutta, which are not closely affected by the schemes of the Calcutta Improvement Trust. They will provide a means of supplementing the work of the Trust by laying out, with the co-operation of the owners, areas in the vicinity of street schemes undertaken by the Trust and of developing areas which are ready for building.

Town-planning schemes, on the other hand, are intended to lay down in advance a well-designed plan for a growing town which will be gradually realized as time goes on. The local authority may at any time proceed to carry out the whole or part of a town-planning scheme, either by means of a land development scheme or schemes or by acquiring land and carrying out the scheme at its own cost, or by a combination of the two methods. A town-planning scheme may provide for the construction or alteration of streets, the allotment or reservation of areas for residential and trade or industrial purposes and for open spaces, gardens, recreation grounds, etc. It has been made obligatory on municipalities in which the Act comes into force to prepare a town-planning scheme within three years from the commencement of the Act in those municipalities.

3. The Bill is mainly based on the Bombay Town Planning Act, but differs from this Act in one important particular. The Bombay Act following the lines of the English Housing and Town Planning Act, 1909, provides that the cost of a town-planning scheme shall be borne by the local authority which may recover one-half of the increased value of any property included in the scheme from the owner of such property. The present Bill, on the other hand, provides that the whole cost of a scheme shall be borne by the owners, irrespective of the amount of the increase in land value which they are likely to derive from the improvement. This provision has been made in view of the fact that the operation of the Calcutta Corporation and the Calcutta Improvement Trust have shown that in the case of undeveloped areas a sum in excess of the cost of land development schemes undertaken by them can generally be realized from the owners of lands beneficially affected by these schemes. A safeguard has been added by providing that, if it is estimated that the increased value of the land is likely to be less than the cost of the improvements, Government may direct the local authority to make good the deficit by a contribution towards the cost of the scheme.

4. The general lines on which the proposed measure will be worked are as follows:—

(1) A land development scheme is to be initiated by the Corporation or other local authority either *suo motu* or on the application of at least six owners possessing together at least one-half of the land in the area concerned.

(2) The local authority after declaring its intention to frame a land development scheme, will consider the objections and suggestions of all owners of land and other persons interested, and will then proceed to prepare a draft scheme.

(3) The draft scheme will be submitted to Government who may sanction it with or without modification.

(4) After a draft scheme has been sanctioned, an arbitrator will be appointed by Government to work out all the necessary details and prepare a final scheme for the sanction of Government.

(5) Each owner will be allotted a plot approximating as nearly as possible to the proportionate share to which he is entitled according to the value of his original holding, and will have to pay or receive the difference, according as the value of the plot allotted to him is more or less than that share.

(6) Similarly the cost of the scheme will be divided between the owners in the same proportion.

(7) Generally speaking, the decisions of the arbitrator will be final, but in certain matters of compensation an appeal shall lie to the Tribunal constituted under the Calcutta Improvement Act or to the principal civil courts in areas outside Calcutta, as the case may be.

(8) A date will be fixed on which the scheme will come into force, and on that date all former rights in the area will cease, and the various owners will take up the reconstituted plots which have been allotted to them.

(9) On the same date all land required for roads, open spaces, etc., will vest in the local authority, which will proceed to execute the various works provided for in the scheme.

(10) The cost of the scheme will in the first instance be borne by the local authority, and will subsequently be recovered from the owners concerned either in a lump sum or by instalments.

A. K. GHUZZAVI,

Member-in-charge.

DARJEELING;

The 22nd June, 1927.

NOTES ON CLAUSES.

Clause 1.—It has been provided that in extending the proposed Act to any Municipality not mentioned in this clause, on the previous application of the Commissioners, the Local Government shall take into consideration any objection from any rate-payer or inhabitant of that Municipality.

Clause 2 (1).—The definition of "building" has been taken from clause (a) of section 3 of the City of Bombay Municipal Act, 1888 (Bom. Act III of 1888), the exception as regards the boundary wall being omitted.

Clause 2 (9).—The definition of "reconstituted plot" includes every plot in the new lay-out instead of merely such plots as have been altered as in the Bombay Act.

Clause 5.—This clause gives the majority of owners the right to apply to the local authority to have a scheme prepared, and the local authority is bound to consider any representation and may either reject the application or declare its intention to make a scheme.

Clauses 7 and 8.—These clauses lay down the procedure for the preparation and sanction of a draft land development scheme, and also provide that the scheme shall be deemed to have been sanctioned if no communication is received from the Local Government within two months.

Clause 9.—This clause provides that the notification sanctioning the draft scheme should specify the period within which the final scheme is to be submitted to the Local Government and that such notification shall be conclusive evidence that the scheme has been duly made and sanctioned.

Clause 11.—This clause provides for certain cases in which the reconstituted plot shall be allotted to the owner in place of the original plot.

Clause 12.—This clause corresponds to section 15 of the Bombay Act and provides the necessary machinery (based on the Calcutta Municipal Act, 1923,) for awarding such compensation as the local authority may think fit in certain circumstances.

Clause 13 enables the Local Government to supersede a local authority which fails to make or execute a scheme.

Chapter III.—This Chapter deals with what are known as "town-planning schemes."

Clause 14.—This clause provides that in certain areas a town-planning scheme shall be made by the local authority within three years from the commencement of the Act.

Clause 16.—This clause provides for the allotment in a town-planning scheme of areas for residential purposes and for offensive and dangerous trades, etc.

Clause 17.—This clause provides that the intention to make a town-planning scheme shall be published and that the local authority may after taking into consideration any objection, make such scheme.

Clause 18 provides that the sanction of the Local Government shall be necessary for a town-planning scheme which shall be deemed to have been sanctioned if no communication is received from the Local Government within six months.

Clause 21.—This clause provides for the appointment of an arbitrator by the Local Government.

Clauses 23, 24 and 25.—These clauses lay down the procedure for inquiring into the claims of persons whose rights and interests are affected by a land development scheme and are based on sections 9, 10 and 11 of the Land Acquisition Act, 1894 (I of 1894).

Clause 26.—This clause is based on section 4 of the Bombay Act, but it extends not only to cases of disputed ownership, but also to any claim of right in any plot included in the scheme in so far as it affects the scheme.

Clause 27.—This clause sets forth the duties of the arbitrator. It follows section 30 of the Bombay Act.

Clause 30.—This clause is modelled on section 20 of the Bombay Act. A right may be transferred from an original to a reconstituted plot. The arbitrator shall decide how far the right is capable of being so transferred.

Clause 31 provides that in any case in which it is not possible to provide a reconstituted plot in place of an original plot, the market value of such plot and buildings, if any, plus the usual 15 per cent. allowance, shall be paid as compensation.

Clause 32.—This clause is based on sections 21 and 22 of the Bombay Act, and provides compensation for property or rights injuriously affected by a scheme.

Clause 34.—This clause enumerates the costs of a land development scheme. It is based on section 16 of the Bombay Act. It also defines what are termed the "General costs of a scheme" which are to be divided amongst all the owners of reconstituted plots in proportion to their share in the whole scheme.

Clause 35.—This clause is necessary on account of the provisions of clause 55 (2). It is necessary to give the local authority some safeguard to ensure that the work be carried out by the owners of reconstituted plots to its satisfaction and a similar safeguard is given to the owners concerned by allowing them to undertake the work themselves under the supervision of the local authority at the estimated cost.

Clause 36.—The principle involved in this clause is made clear in the illustration. All owners to whom reconstituted plots are allotted are treated as co-sharers in the whole scheme, their share being proportionate to the value of the original plots owned by each. Having ascertained what this proportion is, each owner is entitled to the same proportionate value of the whole of the reconstituted plots, and similarly he has to pay the same proportionate share of the general costs of the scheme.

Clause 37.—The intention of this clause is that after the arbitrator has made his award, no owner shall, without the written permission of the arbitrator, do anything which would in any way diminish the value of any land or building which will pass into the ownership of another person in accordance with the scheme.

Clause 38.—This clause corresponds to section 30 (10) of the Bombay Act. The consent of the local authority is considered sufficient for variations from the draft scheme except in respect of modifications made by the Local Government.

Clause 39.—This clause declares that the decision of the arbitrator shall be final except in respect of compensation payable under a scheme.

Clause 40.—This clause lays down the procedure to be followed by the Tribunal or court in hearing appeals.

Clause 41.—This clause provides for the payment of costs to the Tribunal in respect of appeals.

Clause 43.—This clause makes it incumbent on the local authority to make a contribution towards the costs of a scheme.

Clause 44.—This clause gives power to the Local Government to refuse sanction to a final land development scheme in certain circumstances.

Clause 45.—This clause is based on section 40 of the Bombay Act, and provides that when sanction is given to a final scheme, the fact shall be announced by notification.

Clause 47.—This clause lays down the procedure to be adopted by the local authority when the arbitrator reports that a satisfactory scheme is impracticable.

Clause 48.—This clause provides for the circumstances in which an arbitrator may be removed and another appointed in his place.

Clause 49.—This clause is based on section 44 of the Bombay Act and gives power to the arbitrator to compel the attendance of witnesses in the manner provided in the Code of Civil Procedure, 1908.

Clause 50.—This clause makes the arbitrator and officers and servants under him public servants within the meaning of section 21 of the Indian Penal Code.

Clause 51.—This clause is based on section 41 of the Bombay Act and indicates the effect of a final land development scheme.

Clause 52.—This clause is based on section 42 of the Bombay Act, and gives power to the local authority to evict summarily persons occupying land which they are not entitled to occupy under the final scheme.

Clause 53.—This clause gives power to the local authority to carry out the work under a final land development scheme if the majority of the owners fail to do so.

Clause 54.—This clause is based on section 43 of the Bombay Act, and enables the local authority to remove buildings, etc., which contravene a land development scheme and to carry out the work which is not duly executed.

Clause 57.—This clause is based on section 25 of the Bombay Act, and provides for an adjustment of accounts as between a local authority and any person to whom payment is due.

Clause 58.—This clause is based on section 6 of the Bombay Act, and gives power to a local authority to borrow money for a land development or town-planning scheme.

Clause 59.—This clause is based on section 26 of the Bombay Act, and provides for the payment of the net amount due to the local authority by the owner of a reconstituted plot.

Clause 60.—This clause empowers the local authority to advance money to the owner of any reconstituted plot for the erection of dwelling-houses and to make rules regulating such advance.

Clause 61.—This clause indicates the procedure for the recovery of sums due to a local authority.

Clause 62.—This clause makes it incumbent on a local authority to keep accounts of each land development scheme.

Clause 63.—This clause is based on section 45 of the Bombay Act, and provides for the making of joint town-planning schemes for areas which fall within the jurisdiction of more than one local authority.

Clause 64.—This clause corresponds to section 46 of the Bombay Act, and gives power for varying or revoking a land development scheme by a subsequent scheme prepared in accordance with the Act. Power is also given to the Local Government to revoke a scheme.

Clause 65.—This clause is based on section 47 of the Bombay Act, and provides for the payment of compensation to any person who has incurred expenditure for the purposes of complying with any scheme which is subsequently varied or revoked.

Clause 66.—This clause gives the necessary power of entry on any land or building and of its survey for the purposes of the preparation or execution of any land development or town-planning scheme. This clause is based on section 5 of the Bombay Act.

Clause 67.—This clause is based on section 155 of the Calcutta Improvement Act, 1911, and gives protection to a local authority, arbitrator, or officer or servant duly elected, appointed and authorised under the Act against any suit or other legal proceeding in respect of anything done in good faith under the provisions of the Act.

Clause 68.—This clause follows section 156 of the Calcutta Improvement Act, 1911, and provides for notice being given of a suit against any arbitrator, etc., before such suit is instituted.

Clause 69.—This clause is based on section 50 of the Bombay Act, and lays down that registration of a document, plan or map in connection with a final land development scheme is not required.

Clause 70. is based on section 117 of the United Provinces Municipalities Act, 1916, and provides that the Local Government may, at the request of a local authority, acquire land needed for a land development or a town-planning scheme, under the provisions of the Land Acquisition Act, 1894.

Clause 71.—This clause lays down that the procedure of a local authority under the proposed Act shall be regulated by the law under which the local authority is constituted.

Clause 72.—This clause is based on section 166 of the Calcutta Improvement Act, 1911, and provides the manner in which the service of a notice, bill, etc., on a party is to be effected.

Clause 73.—This clause corresponds to section 52 of the Bombay Act. It provides for the making of rules both specifically and generally in connection with the administration of the proposed Act. The power to make rules has been made subject to the condition of previous publication.

The Schedule which is on the lines of Schedule XIX of the Calcutta Municipal Act, 1923, specifies the offensive and dangerous trades for which it is considered desirable that separate allotment of areas should be made in town-planning schemes.

A. DEC. WILLIAMS,

Secretary to the Bengal Legislative Council (offg.).



The Calcutta Gazette

THURSDAY, JULY 21, 1927.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1464L., dated Calcutta, the 18th July, 1927.—His Excellency the Governor having been pleased to order, under rule 18 of the Bengal Legislative Council Rules, 1920, publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information :—

THE BENGAL BORSTAL SCHOOLS BILL, 1927.

A

BILL

*to make provision for the establishment and regulation
of Borstal schools for the detention and training of
adolescent offenders.*

Preamble.

WHEREAS it is expedient to make provision for the establishment and regulation of Borstal schools for the detention and training of adolescent offenders;

And whereas the previous sanction of the Governor General has been obtained under sub-section (3) of section 80 A of the Government of India Act to the passing of this Act;

It is hereby enacted as follows:—

5 & 6 Geo.
V. c. 61; 6
& 7 Geo. V.
c. 37; 9 &
10 Geo. V.
c. 101.

Short title and extent.

1. (1) This Act may be called the Bengal Borstal Schools Act, 1927.

(2) This section shall extend to the whole of Bengal and the Local Government may, by notification in the *Calcutta Gazette*, extend any other section or sections of this Act to any local area in Bengal in respect of adolescent offenders generally or of any specified class of such offenders.

[Cf. Ben. Act
VI of 1919,
s. 1.]

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

[Cf. Ben. Act
II of 1922,
s. 3 (5)].

(1) “adolescent offender” means any person who has been convicted of any offence punishable with imprisonment or who having been ordered to give security under section 106 or section 118 of the Code of Criminal Procedure, 1898, has failed to do so and who at the time of such conviction or failure to give security—

Act V of
1898.

(i) in any area where the Bengal Children Act, 1922, is in force, is not less than sixteen nor more than twenty-one years of age, or

Ben. Act II
of 1922.

(ii) in any other area is not less than fifteen nor more than twenty-one years of age;

(2) “Borstal school” means a school established by the Local Government under section 3;

(3) “Inspector-General” means the Inspector-General of Prisons and includes any officer appointed by the Local Government to perform all or any of the duties imposed, or to exercise all or any of the powers conferred by this Act, on the Inspector-General; and

(4) “prescribed” means prescribed by rules made under this Act.

Establishment of Borstal schools.

3. (1) The Local Government may establish Borstal schools at such places as it may think fit wherein adolescent offenders may be detained and given such industrial training and other instruction and be subjected to such disciplinary measures and moral influences as in the opinion of the Local Government will conduce to their reformation and the prevention of crime.

(2) For every Borstal school, a Visiting Committee shall be appointed in such manner as may be prescribed.

The Bengal Borstal Schools Bill, 1927.

(Clauses 4—7.)

Application
of the Prisons
Act, 1894,
and the
Prisoners
Act, 1900.

4. Subject to the provisions of this Act, the provisions of the Prisons Act, 1894, and the Prisoners Act, 1900, shall apply to a Borstal school established under this Act as if it were a prison and an inmate thereof a prisoner. IX of 1894.
III of 1900.

Power of
Court to
make order
for deten-
tion in
Borstal
school.

5. (1) If it appears to the High Court, a Court of Session or the Court of a District Magistrate, a Subdivisional Magistrate, a salaried Presidency Magistrate or any Magistrate of the first class specially empowered by the Local Government in this behalf in any case that comes before such Court originally, on appeal or in revision that an adolescent offender convicted by such Court or any Court subordinate to it or failing to obey an order made by such Court or any Court subordinate to it to give security under section 106 or section 118 of the Code of Criminal Procedure, 1898, should be detained in a Borstal school, the Court may, in lieu of passing a sentence of imprisonment, make an order for the detention of the adolescent offender in a Borstal school for a term which shall not be less than two and shall not exceed five years. Act V of 1898.

(2) Before making an order under sub-section (1) the Court shall—

- (a) inquire into the age of the offender and, after taking such evidence (if any) as may be deemed necessary, shall record a finding thereon stating his approximate age;
- (b) after considering any report or representation which may be made to it as to the desirability of the detention of the adolescent offender in a Borstal school, satisfy itself that the character, state of health and mental condition of the offender and the other circumstances of the case are such that the offender is likely to profit by such detention.

Procedure
where the
Court is
not empower-
ed to pass
an order
of deten-
tion in a
Borstal
school.

6. (1) If any Court not empowered to pass an order of detention in a Borstal school under sub-section (1) of section 5 is of opinion that an adolescent offender convicted or ordered to give security by such Court is a proper person to be detained in a Borstal school, the Court may, in lieu of passing sentence, record such opinion and submit the record of the case and forward the adolescent offender to the District Magistrate or Subdivisional Magistrate to whom he is subordinate or to a salaried Presidency Magistrate.

(2) Before forwarding an adolescent offender in accordance with the provisions of sub-section (1) the Court shall make the enquiry and record the finding prescribed in clause (a) of sub-section (2) of section 5 in respect of such adolescent offender.

(3) A District Magistrate, Subdivisional Magistrate or salaried Presidency Magistrate to whom an adolescent offender is forwarded in accordance with the provisions of sub-section (1) may make such further enquiry (if any) as he may think fit and may, subject to the conditions contained in clause (b) of sub-section (2) of section 5, make an order for the detention of the adolescent offender in a Borstal school for a term which shall not be less than two and shall not exceed five years, or may return the record of the case to the Court which tried it for passing such sentence as that Court may think fit.

Appeal.

7. (1) Any adolescent offender in respect of whom an order of detention in a Borstal school is made under

The Bengal Borstal Schools Bill, 1927.

(Clauses 8—11.)

section 5 or section 6 by a Court in any case that comes before it originally may appeal—

- (a) if the order is made by a Court of Session or a Court of a salaried Presidency Magistrate to the High Court; or
- (b) if the order is made by the Court of any Magistrate other than a salaried Presidency Magistrate, to the Court of Session;

within two months from the date of such order.

(2) The procedure prescribed for appeals in Chapter XXXI of the Code of Criminal Procedure, 1898, shall apply as far as possible to appeals under this section. Act V of 1898.

(3) The Appellate Court may dismiss the appeal or may—

- (a) reverse the order and make any other order or pass any sentence which might have been lawfully made or passed in respect of the adolescent offender by the Court which passed the order of detention; or
- (b) alter the term of detention subject to the limits prescribed in sub-section (1) of section 5.

Procedure after making order under section 5.

8. (1) Every adolescent offender directed by a Court to be sent to a Borstal school shall be forthwith sent to the place of intermediate custody prescribed in this behalf in respect of such Court. (Cf. Act VIII of 1897, s. 12.)

(2) A copy of the order of the Court directing the adolescent offender to be detained in a Borstal school shall forthwith be sent by the Court to the Inspector-General, who shall take immediate steps for the removal of the adolescent offender from the place of intermediate custody to a Borstal school as soon as may be practicable.

(3) The period during which the adolescent offender is kept in the prescribed place of intermediate custody shall, for the purposes of computing his total period of detention in a Borstal school, be deemed to be part of that detention.

Limitation on powers conferred by section 5.

9. Any person detained in a Borstal school for failure to furnish security when ordered to do so under section 106 or section 118 of the Code of Criminal Procedure, 1898, shall be released on furnishing such security or on the passing of an order under section 124 of the Code.

Power of Inspector-General to transfer adolescent prisoners to Borstal school.

10. If the Inspector-General is satisfied that any adolescent offender sentenced to undergo imprisonment in a jail or detention in a reformatory school is a proper person to be detained in a Borstal school, he may, subject to the prescribed conditions, direct that the adolescent offender shall be transferred to a Borstal school and there be detained for the whole or any part of the unexpired residue of his sentence. The provisions of the Act shall thereupon apply to such person as if he had been originally sentenced to detention in a Borstal school.

Removal from one school to another.

11. The Inspector-General may at any time order an adolescent offender to be removed from one Borstal school to another such school: [Cf. Act VIII of 1897, s. 14(b).]

Provided that the total period for which the adolescent offender was ordered to be detained in a Borstal school shall not be increased by such removal.

The Bengal Borstal Schools Bill, 1927.

(Clauses 12—15.)

Power to
release on
license.

12. (1) Subject to the prescribed conditions, the Inspector-General may, on the recommendation of the Visiting Committee, at any time after the expiration of six months from the commencement of the detention of an adolescent offender in a Borstal school, if he is satisfied that there is a reasonable probability that the adolescent offender will abstain from crime and lead a useful and industrious life, discharge him from the Borstal school and grant him a written license in the prescribed form and on the prescribed conditions permitting him to live under the supervision and authority of such—

- (a) officer of Government,
- (b) secular institution,
- (c) religious society, or
- (d) responsible person,

as may be approved by the Inspector-General and willing to take charge of the adolescent offender.

(2) A license under this section shall be in force until the expiry of the term for which the adolescent offender was ordered to be detained in a Borstal school, unless sooner revoked or forfeited.

(3) The period during which an adolescent offender is absent from a Borstal school during the continuance of a license granted to him under this section shall, for the purposes of computing his term of detention in such school, be deemed to be part of that detention.

Revocation
of license.

13. (1) Subject to the prescribed conditions, the Inspector-General may at any time, and shall, at the request of the institution, society or person under whose supervision and authority the adolescent offender has by license been permitted to live, revoke a license granted under section 12, and upon such revocation the adolescent offender shall be detained in a Borstal school until the expiry of the term for which he was ordered to be detained in such school.

(2) If an adolescent offender removes himself from the supervision of the institution, society or person under which he was by license permitted to live, his license shall be deemed to have been revoked from the date on which he has so removed himself.

Powers of
arrest of
police.

14. Any Police officer, not below the rank of a Sub-Inspector of Police may, without orders from a Magistrate and without warrant, arrest an adolescent offender who has escaped from a Borstal school or removed himself from the supervision of the institution, society or person under which he was permitted to live by license under section 12, and shall send him, if so arrested, in custody to the Borstal school in which he was last detained.

Transfer of
incurrigibles,
etc., to
prisons.

15. Notwithstanding anything elsewhere contained in this Act, if an adolescent offender detained in a Borstal school—

- (a) is reported to the Local Government by the Visiting Committee of such school to be incorrigible or to be exercising a bad influence on the other inmates of the school, or
- (b) escapes from the Borstal school or removes himself from the supervision of the institution, society or person under which he was permitted to live by license under section 12,

the Local Government may alter the unexpired residue of the term of detention to such term of imprisonment

The Bengal Borstal Schools Bill, 1927.

(Clause 16.)

of either description as the Local Government may determine:

Provided that the period of imprisonment shall not exceed—

- (a) such unexpired residue, or
- (b) the maximum period of imprisonment provided by law for the offence or the failure to give security, as the case may be, in consequence of which the adolescent offender was ordered to be detained in a Borstal school,

whichever is less.

Rules.

16. (1) The Local Government may make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Local Government may make rules to provide for all or any of the following matters, namely:—

- (a) the control and management of Borstal schools;
- (b) the appointment, powers and duties, of officials in such schools;
- (c) the constitution, powers and duties of Visiting Committees;
- (d) the classification, treatment, maintenance, education, industrial training and control of the inmates of Borstal schools;
- (e) the regulation of the powers of the Inspector-General under sections 10, 12 and 13;
- (f) the prescribing of places of intermediate custody in respect of Courts to which such Courts may order adolescent offenders to be sent; and
- (g) the form and conditions of licenses granted under section 12.

(3) All rules made under this section shall be published in the *Calcutta Gazette* and, on such publication, shall have the same effect as if enacted in this Act.

STATEMENT OF OBJECTS AND REASONS.

The object of the Bill is to provide for the detention of adolescent offenders in special institutions in which they will be given industrial training and other instruction and subjected to such disciplinary and moral influences as will conduce to their reformation. It is now generally recognized that the period of adolescence is the most critical in an individual's life "when the mind is specially susceptible to fresh impressions and when it is peculiarly important to prevent habits of immorality and crime from being formed" and that it is undesirable from all points of view to familiarise adolescents with ordinary jail life and bring them into contact with adult prisoners.

The Bill is intended to empower certain classes of Courts to pass orders detaining adolescent offenders in Borstal schools for a term of not less than two years, instead of sentencing them in the ordinary way to imprisonment. Provision is made, subject to rules made by the Local Government, for the transfer to Borstal schools of adolescent offenders, whether convicted before or after the passing of the Act. A system of conditional releases on license is also introduced with the necessary provisions for revocation of a license once issued.

K. C. ROY,
Member in charge.

CALCUTTA:
The 18th February, 1927.

A. DEC. WILLIAMS,
Secretary to the Bengal Legislative Council (offg.).



The Calcutta Gazette

THURSDAY, AUGUST 11, 1927.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

Legislative Department.

NOTIFICATION.

No. 1651L., dated Calcutta, the 8th August, 1927.—His Excellency the Governor having been pleased to order, under rule 18 of the Bengal Legislative Council Rules, 1920, the publication of the following Bill, together with the statement of objects and reasons which accompanies it in the *Calcutta Gazette*, the Bill and the statement of objects and reasons are accordingly hereby published for general information.

THE CALCUTTA VEHICLES BILL, 1927.

A

BILL

to provide for the better control of horse-drawn vehicles in Calcutta.

WHEREAS it is expedient to provide for the better control of horse-drawn vehicles in Calcutta;

It is hereby enacted as follows:—

PART I.

Preliminary.

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Calcutta Vehicles Act, 1927.

(2) It shall apply in the first instance only to Calcutta.

(3) It shall come into force on such date as the Local Government may, by notification, direct.

Further
provisions
as to
extent.

2. The Local Government may, by notification—

[*Cf. Ben. Act I of 1919, s. 2.*]

(a) extend this Act or any portion thereof, to any town or local area other than Calcutta; and

(b) exclude from, or include in, Calcutta or any other town or local area to which this Act is extended under clause (a), any local area in the vicinity of the same and defined in the notification:

Provided that no notification under this section shall be published in respect of any area included in a Military Cantonment without the previous sanction of the Governor General in Council.

Provided also that, before finally publishing any notification under this section, the Local Government shall publish a draft of the same in such manner as it may think fit, and any rate-payer or inhabitant of the area affected by such draft may, if he objects to the draft, submit his objection in writing to the Local Government within six weeks from its publication, and the Local Government shall take such objection into consideration.

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context,—

(1) "Calcutta" means subject to the exclusion or inclusion of any local area by notification under clause (b) of section 2, the area described in Schedule I to the Calcutta Municipal Act, 1923; [Cf. Ben. Act I of 1919, s. 4 (2).]

(2) "notification" means a notification published in the *Calcutta Gazette*;

(3) "prescribed" means prescribed by rules under this Act; [Cf. Act VIII of 1914, s. 2.]

(4) "public place" means a road, street, way or other place, whether a thoroughfare or not, to which the public are granted access or over which they have a right to pass;

(5) "vehicle" means any wheeled vehicle drawn by a horse or horses and used for the conveyance of human beings; but does not include a hackney-carriage as defined in section 4 of the Calcutta Hackney-carriage Act, 1919. Ben. Act I of 1919.

The Calcutta Vehicles Bill, 1927.

(Clauses 4—11.)

PART II.**Provisions of General Application.**Prohibition
of driving
vehicles by
persons
under
eighteen.

4. (1) No person under the age of eighteen years shall drive a vehicle in any public place. [Cf. Act VIII of 1914, s. 3.]

(2) No owner or person in charge of a vehicle shall allow any person under the age of eighteen years to drive the same in any public place; and in the event of a contravention of sub-section (1), the Court may presume that the vehicle was driven with the consent of the owner or person in charge.

Duty to
stop vehicle
for regula-
ting traffic
and in case
of accident.

5. The person in charge of a vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary— [Cf. Act VIII of 1914, s. 4.]

(a) when required to do so by any police-officer for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder, or

(b) when he knows or has reason to believe that an accident has occurred to any person or to any animal or conveyance in charge of a person owing to the presence of the vehicle, and he shall also give his name and address and the name and address of the owner of such vehicle, to any police-officer in uniform present or to any person reasonably requesting such names and addresses.

Reckless
driving.

6. Whoever drives a vehicle in a public place recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and the amount of traffic which actually is at the time or which might reasonably be expected to be, in the place, shall, on conviction, be punishable with fine which may extend to five hundred rupees. [Cf. Act VIII of 1914, s. 5.]

PART III.**Licensing and Control.**Licensing
of drivers.

7. (1) No person shall drive a vehicle in a public place unless he is licensed in the prescribed manner, and no owner or person in charge of a vehicle shall allow any person who is not so licensed to drive it. [Cf. Act VIII of 1914, s. 6.]

Transfer
of licence.

8. The holder of a licence shall not allow it to be used by any other person. [Cf. Act VIII of 1914, s. 7.]

Production
of licence.

9. The driver of a vehicle shall produce his licence upon the spot when required by any police-officer to do so. [Cf. Act VIII of 1914, s. 8.]

Extent of
validity of
licence to
drive.

10. Every licence to drive a vehicle shall be valid in such area as may be specified therein. [Cf. Act VIII of 1914, s. 9.]

Registration
of vehicles.

11. (1) The owner of every vehicle shall cause it to be registered in the prescribed manner. [Cf. Act VIII of 1914, s. 10.]

(2) Such registration shall be valid in such area as may be specified in the certificate of registration.

The Calcutta Vehicles Bill, 1927.

(Clauses 12—14.)

Power of
Local Govern-
ment to make
rules.

12. (1) The Local Government, subject to the condition of previous publication, shall make rules for the purpose of carrying into effect the provisions of this Act and of regulating, in the whole or any part of Bengal, the use of vehicles or any class of vehicles in public places. [Cf. Act VIII of 1914, s. 11.]

(2) In particular, and without prejudice to the generality of the foregoing powers, the Local Government may make rules for all or any of the following purposes, namely:—

- (a) providing for the registration of vehicles, and the conditions subject to which they may be registered, the fees payable in respect of and incidental to registration, the notification of any changes of ownership, and the area in which, and the duration for which, certificates of registration shall be valid;
- (b) providing for facilitating the identification of vehicles by the assignment to them of distinguishing numbers and the displaying upon them of number and name plates, or in any other manner;
- (c) regulating the construction and equipment of vehicles, including the provision and use of lights, bells or other appliances;
- (d) prescribing the authority by which, and the conditions subject to which, drivers of vehicles or any class of such drivers may be licensed, the fees payable in respect of such licences, and the area within which, and the duration for which licences shall be valid;
- (e) prescribing the authority by which, and the conditions and limitations subject to which, licences may be suspended or cancelled;
- (f) prescribing the precautions to be observed when vehicles are standing in any public place;
- (g) prohibiting or regulating the driving of vehicles in public places, where their use may, in the opinion of the Local Government, be attended with danger or inconvenience to the public;
- (h) prescribing the authority who shall give and the manner of giving the notice referred to in section 13; and
- (i) providing generally for the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the *Calcutta Gazette*; and, on such publication, shall have effect as if enacted in this Act.

Posting of
notices.

13. The prescribed authority shall give, in the prescribed manner, public notice of any rule, made by the Local Government under section 12, prohibiting or regulating the driving of vehicles in any public place; and for the purpose of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers. [Cf. Act VIII of 1914, s. 12.]

Power to
Local
Government
to exclude
areas and to
exempt
vehicles
from this
Part.

14. The Local Government may, by notification, exclude any area specified in such notification from the operation of this Part; and may, by a like notification, exempt either generally or for a specified period any vehicle or class of vehicles from the operation of all or any of the provisions of this Part. [Cf. Act VIII of 1914, s. 13.]

The Calcutta Vehicles Bill, 1927.

(Clauses 15—17.)

PART IV.**Miscellaneous.****Penalties.**

15. Whoever contravenes any of the provisions of this Act or of any rule made thereunder shall, if no other penalty is elsewhere provided in this Act for such contravention, be punishable with fine which may extend to one hundred rupees, and, in the event of such person having been previously convicted of an offence under this Act or any rule made thereunder, with fine which may extend to two hundred rupees.

[Cf. Act
VIII of
1914,
s. 16.]**Cognisance
of offences.**

16. No Court inferior to that of a Presidency Magistrate or a Magistrate of the second class shall try any offence punishable under this Act or any rule made thereunder.

[Cf. Act
VIII of
1914,
s. 17.]**Cancellation
and suspen-
sion of
licence and
disqualifica-
tion for
obtaining
licence.**

17. (1) The Local Government may, in its discretion, declare any person disqualified for obtaining a licence under this Act either permanently or for such period as it thinks fit.

[Cf. Act
VIII of
1914,
s. 18.]

(2) The prescribed authority may, subject to such conditions and limitations as may be prescribed, cancel or suspend any licence granted under this Act.

(3) Any Court by which any person is convicted of an offence against the provisions of this Act or any rule made thereunder or of any offence in connection with the driving of a vehicle shall, if such person holds a licence under the Act, cause particulars of the conviction to be endorsed thereon and may, in respect of such person and of his licence, if any, exercise the like powers as are conferred by sub-section (1) on the Local Government and by sub-section (2) on the prescribed authority:

Provided that no order made by a Court under this sub-section shall affect any person or licence for a period exceeding one year from the date of such conviction.

(4) Any Court before which the holder of a licence under this Act is accused of any offence mentioned in sub-section (3) may suspend such licence until the termination of the proceedings before it.

(5) A copy of every order of cancellation, suspension or disqualification made under this section in respect of a licence or the holder of a licence shall be endorsed on the licence, and a copy of every endorsement, in accordance with the provisions of this section, shall be sent to the authority by which such licence has been granted.

(6) Every holder of a licence shall, when called upon to do so, produce his licence before any authority acting under this section.

(7) A person whose licence has been cancelled or suspended in accordance with the provisions of this section, shall, during the period for which such order of cancellation has effect, or during the period of suspension, as the case may be, be disqualified for obtaining a licence.

(8) No person whose licence has been endorsed or who has been disqualified for obtaining a licence shall apply for, or obtain, a licence without giving particulars of such endorsement or disqualification.

STATEMENT OF OBJECTS AND REASONS.

On more than one occasion during recent years the attention of Government has been directed to the difficulty of controlling office jauns.—The Commissioner of Police, the Calcutta Corporation, the Bengal Chamber of Commerce and the Automobile Association have all urged the desirability of registering all office jauns so that they may be readily identified. In the absence of a number or other permanent mark it is difficult for any one who is injured by an office jaun or for the police to trace its owner. Difficulty has also been experienced in dealing with the drivers of these vehicles as they usually give wrong names and addresses or disappear to their native districts if a summons is served on them. Whilst all other classes of street traffic are subject to some control, office jauns, which are a serious danger at congested points, are able to ignore traffic directions with impunity because of the difficulty of tracing them. With the constant increase in the number of vehicles in use in the business quarters of Calcutta the danger arising from the lack of control over office jauns is becoming more and more serious.

Government have come to the conclusion that it is necessary to provide for the registration of office jauns. It has not, however, been found possible to devise a satisfactory definition of an office jaun which would cover all horse-drawn vehicles in Calcutta used as office jauns and at the same time exclude vehicles, which although similar in appearance and construction, are employed for entirely different purposes. Government are, therefore, of opinion that the only practicable course is to take powers under a separate enactment for the registration of all horse-drawn vehicles and the licensing of drivers as in the case of motor vehicles, and to exempt by notification from the operation of the provisions for licensing and control any vehicle or class of vehicle of types which can be controlled without difficulty or are not likely to be a source of danger.

A. N. MOBERLY,

Member-in-charge.

CALCUTTA;

The 8th August, 1927.

A. DEC. WILLIAMS,

Secretary to the Bengal Legislative Council (offg.).



The Calcutta Gazette

THURSDAY, SEPTEMBER 22, 1927.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 74T.L., dated Darjeeling, the 16th September, 1927.—His Excellency the Governor having been pleased to order, under rule 18 of the Bengal Legislative Council Rules, 1920, publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information. Interested persons are invited to send in their opinions and criticisms on the Bill on or before the 30th November, 1927, to the Secretary to the Bengal Legislative Council :—

THE BENGAL (RURAL) PRIMARY EDUCATION BILL, 1927.

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THE BENGAL (RURAL) PRIMARY EDUCATION BILL, 1927.

A

BILL

*to provide for the extension of primary education
in rural areas in Bengal.*

WHEREAS it is expedient to make better provision for primary education in rural areas in Bengal;

And whereas the previous sanction of the Governor General under sub-section (3) of section 80A of the Government of India Act has been obtained to the passing of this Act;

It is hereby enacted as follows:—

5 & 6 Geo.
V. c. 61; 6
& 7 Geo. V.
c. 37; 9 &
10 Geo. V.
c. 101.

CHAPTER I.

Preliminary.

Short title,
local extent and
commencement.

1. (1) This Act may be called the Bengal (Rural) Primary Education Act, 1927.

[Cf. Ben.
Act V of
1919, s. 1.]

(2) It extends to the whole of Bengal, except the town of Calcutta and any area which has been or may hereafter be constituted a municipality under the provisions of the Bengal Municipal Act, 1884.

Ben. Act
III of 1884.

(3) It shall come into force, in whole or in part, in such districts on such dates as the Local Government may, by notification, direct and for this purpose different dates may be appointed for different provisions of this Act and for different districts.

[Cf. Ben.
Act II of
1922, s. 1.]

Explanation.—The words “the town of Calcutta” mean, subject to the inclusion of any local area by notification under section 543 of the Calcutta Municipal Act, 1923, and subject to the provisions of section 147 of the Calcutta Improvement Act, 1911, the area described in Schedule I to the Calcutta Municipal Act, 1923:

Ben. Act
III of 1923.

Ben. Act
V of 1911.

Provided that this Act shall not come into force in any cantonment without the previous sanction of the Governor General in Council.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) “attendance” at a school means presence for instruction at a primary school for so many and on such days in the year and at such time or times on each day of attendance as may be required by the Attendance Committee with the approval of the prescribed educational authority;

(2) “Board” means a District School Board constituted under this Act;

(3) “child” means a child who is not less than six and not more than eleven years of age or other prescribed age;

[Cf. B. & O.
Act I of
1919.]

(4) “Director of Public Instruction” means the officer who is primarily responsible to the Local Government for the organisation and administration of public instruction in the Presidency of Bengal;

(5) “district” has the same meaning as in section 4 of the Cess Act, 1880;

Ben. Act
IX of 1880.

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter II—The District School Board—Clause 3.)*

- (6) "District Board" means a District Board constituted under the Bengal Local Self-Government Act of 1885; Ben. Act III of 1885.
- (7) "District Inspector of Schools" means the local executive educational officer in each district responsible to the Director of Public Instruction;
- (8) "financial year" means a year beginning on the first day of April;
- (9) "guardian" means any person to whom the care, nurture or custody of any child falls by law or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child or to whom the care or custody of any child has been entrusted by any lawful authority; [Cf. Mad. Act VIII of 1920, s. 3 (viii).]
- (10) "notification" means a notification published in the *Calcutta Gazette*;
- (11) "Panchayat" means a Panchayat appointed under the Village Chaukidari Act, 1870; Ben. Act VI of 1870.
- (12) "prescribed" means prescribed by rules made under this Act;
- (13) "primary education" means education in such subjects and up to such standards as may be prescribed;
- (14) "primary school" means a school or department of a school giving instruction in primary education and recognised as such under section 47;
- (15) "public management" in relation to a primary school means management by the Government, or by a District School Board either directly or through the agency of a Union Board or a Panchayat; all other management shall be deemed to be "private management"; [Cf. Mad. Act VIII of 1920, s. 3 (xii).]
- (16) "subdivision" has the same meaning as in the Code of Criminal Procedure, 1898; Act V of 1898.
- (17) "Union Board" means a Union Board constituted under the Bengal Village Self-Government Act, 1919. Ben. Act V of 1919.

CHAPTER II.**The District School Board.****Constitution.**

3. When this section comes into force in any district the Local Government shall establish for such district a District School Board consisting of the following members, namely:—

(a) the District Magistrate, *ex officio* :

Provided that, on the expiration of three terms of three years mentioned in sub-section (2) of section 7 after the first establishment of the Board, the District Magistrate shall cease to be an *ex officio* member of the Board;

(b) the District Inspector of Schools, *ex officio* ;

(c) the Subdivisional Officers in charge of the subdivisions, *ex officio* ;

(d) three members for each subdivision to be appointed by the Local Government from among the members of Union Boards or Panchayats within the subdivision;

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter II—The District School Board—Clauses 4—8.)*

Provided that, on the expiration of three terms of three years mentioned in sub-section (2) of section 7 after the first establishment of the Board, the said three members shall be elected in the prescribed manner by the Union Boards and Panchayats within the subdivision from amongst the members of such Union Boards or Panchayats; and

- (e) three members to be elected in the prescribed manner by the District Board from among its members.

Procedure in
default of
election of
members.

4. If, by such date as may be fixed by the Local Government—

[*Cf. Ben. Act XII of 1923, s. 2(3).*]

- (i) the District Board does not elect the members referred to in clause (e) of section 3,

(ii) the Union Boards and Panchayats do not elect the members referred to in clause (d) of section 3, after the expiration of three terms of three years mentioned in sub-section (2) of section 7 after the first establishment of the Board,

the Local Government shall appoint suitable persons to be such members, and any persons so appointed shall be deemed to be members as if they had been duly elected by the District Board or Union Boards and Panchayats, as the case may be.

President
and Vice-
President.

5. (1) There shall be a President of the Board, who shall, until the expiration of three terms of three years mentioned in sub-section (2) of section 7 after the first establishment of the Board, be a member of the Board appointed in that behalf by the Local Government, and shall thereafter be a member of the Board elected in that behalf by the Board in the prescribed manner and approved by the Local Government.

[*Cf. Govt. of India Act, s. 63C (1).*]

(2) The Board may from time to time elect, for such period as it thinks fit, one of its members to be Vice-President.

Elections and
appointments to
be notified in
Gazette.

6. The names of the President, the Vice-President and of the appointed and elected members of the Board or, where the President has been appointed *ex officio* or a member is an *ex officio* member, the office by virtue of which he has been appointed President or is a member, shall be published by the Local Government in the *Calcutta Gazette*.

[*Cf. Ben. Act XII of 1923, s. 2(4).*]

Term of
office.

7. (1) The Vice-President and any other appointed or elected member may resign his office by giving notice in writing to the President; and, on such resignation being accepted by the President, shall be deemed to have vacated his office.

[*Cf. Mad. Act VIII of 1920, s. 9 (1).*]

(2) Subject to the provisions of this Chapter, the appointed or elected members shall hold office for a term of three years and may, on the expiration of such term, be re-appointed or re-elected.

(3) Notwithstanding the expiration of the term of three years mentioned in sub-section (2), an appointed or elected member shall continue to hold office until the vacancy caused by the expiration of the said term has been filled.

Removal of
members.

8. (1) The Local Government may, by notification, remove a President, Vice-President or member of a Board if he—

[*Cf. Mad. Act VIII of 1920, s. 10.*]

- (a) is absent without leave for more than three months continuously from the jurisdiction of the Board;

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter II—The District School Board—Clauses 9—14.)*

- (b) refuses to act or becomes incapable of acting as a member of the Board;
- (c) is declared insolvent;
- (d) is convicted of any such offence or is subjected by a criminal court to any such order as in the opinion of the Local Government implies a defect of character which unfits him to continue to be a President, Vice-President or member of a Board; or
- (e) without excuse sufficient in the opinion of the Local Government, is absent without consent of the Board from more than three consecutive meetings of the Board.

(2) The Local Government may fix a period during which any person so removed shall not be eligible for re-appointment or re-election.

Casual vacancies.

9. When the place of an appointed or elected member of a Board becomes vacant by his removal, resignation or death, a new member shall be appointed or elected in the manner provided in section 3, and shall hold office so long as the member whose place he fills would have been entitled to hold office if such vacancy had not occurred:

[*Cf. Ben. Act V of 1919, s. 13.*]

Provided that no act of the Board, or of its officers, shall be deemed to be invalid by reason only that the number of members of the Board at the time of the performance of such act was less than the number provided by section 3.

Travelling allowance.

10. Members (other than *ex officio* members) and the establishment of a Board shall be entitled to travelling allowance of the prescribed amount to be paid in the prescribed manner from the District Primary Education Fund for expenses incurred by them in attending meetings of the Board or in performing any duty assigned to them by the Board for the purposes of this Act.

[*Cf. Mad. Act VIII of 1920, s. 11.*]

Board to be a body corporate.

11. Every Board shall be a body corporate by the name of "the District School Board of (name of district)", shall have perpetual succession and a common seal, and shall by the said name sue and be sued, with power to acquire and hold property, both movable and immovable, and, subject to the prescribed conditions, to transfer any property held by it and to contract and do all other things necessary for the purposes of this Act.

[*Cf. Mad. Act VIII of 1920, s. 12.*]

President at meetings.

12. (1) The President, or, in his absence, the Vice-President, shall preside at every meeting of the Board, and shall have a second or casting vote in all cases of equality of votes.

[*Cf. Ben. Act III of 1923, s. 62.*]

(2) In the absence of both the President and Vice-President, the members present at any meeting may elect one of their number to preside, who shall have a second or casting vote in all cases of equality of votes.

Meetings of Board to be public.

13. All meetings of a Board shall be open to the public:

[*Cf. Mad. Act VIII of 1920, s. 16.*]

Provided that the person presiding may in any particular case, for reasons to be recorded in writing, direct that the public generally or any particular person shall withdraw.

Interested members not to vote.

14. No member of a Board shall vote on any question coming before the Board for consideration in which (otherwise than in its general application to all persons and properties within the district) he has a pecuniary interest.

[*Cf. Mad. Act VIII of 1920, s. 17 (4).*]

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter II—The District School Board—Clauses
15—18.)*

Duties of
President
and
Vice-President.

15. (1) All orders of a Board shall be carried into effect by the President, in whom the entire executive power of the Board shall be vested and who shall be responsible for giving effect to such orders. [*Cf. Mad. Act VIII of 1920, s. 19.*]

(2) The President shall not exercise any power which by this Act is expressly declared to be exercisable by the Board.

(3) The President with the consent of the Board may authorise the Vice-President by an order in writing to exercise any of the powers conferred or to perform any of the duties imposed on the President by this Act and thereupon the responsibility of the President in respect of such powers and duties shall devolve upon the Vice-President during the continuance of such order.

(4) When the office of President is vacant the Vice-President shall exercise the functions of the President until a new President is appointed.

Power of
Board to make
regulations.

16. (1) Every Board may make regulations in regard to the following matters, namely:— [*Cf. Mad. Act VIII of 1920, s. 29.*]

- (i) the time and place of its meetings;
- (ii) the manner in which notice of meetings shall be given;
- (iii) the conduct of proceedings at meetings;
- (iv) the division of duties among the members of the Board;
- (v) the appointment, duties and procedure of special committees consisting wholly of members of the Board or partly of such members and partly of residents within the local jurisdiction of the Board;
- (vi) the persons by whom receipts may be granted for money paid to the Board;
- (vii) the inspection by members of the Board of primary schools situated within its jurisdiction and the inspection of accounts, books, registers, returns, reports and other documents, appertaining to such schools; and
- (viii) the carrying out of the purposes of this Act.

(2) Any regulation made under sub-section (1) which is repugnant to the provisions of any rule made under section 59 shall, to the extent of such repugnancy, but not otherwise, be void.

Control by
Commissioner.

17. The Commissioner of the Division may, by order in writing, suspend the execution of any resolution or order of a Board situate within his jurisdiction and prohibit the doing or completion of any act which is about to be done, or is being done within such jurisdiction in pursuance of or under cover of, this Act, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law. [*Cf. Ben. Act III of 1884, s. 63.*]

Control by
Local
Government.

18. (1) If at any time it appears to the Local Government that a Board or its President has made default in performing any duty imposed by or under this Act, the Local Government may, by an order in writing, fix a period for the performance of such duty. [*Cf. Mad. Act VIII of 1920, s. 22.*]

(2) If the duty is not performed within the period so fixed, the Local Government may appoint a person to perform it, and may direct that the expense of performing it shall be paid, within such time as it may fix, to such person by the Board.

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter II—The District School Board—Clauses—
19, 20.)*

(3) If the expense is not so paid, the Local Government may make an order directing the person having the custody of the District Primary Education Fund to pay to the person appointed under sub-section (2) such expense in priority to any other charges against such fund, and he shall, so far as the funds to the credit of the Board admit, comply with the order of the Local Government.

Supersession
of Board.

19. (1) If at any time it appears to the Local Government that a Board is not properly performing the duties imposed upon it by or under this Act, the Local Government may, by an order in writing specifying the reasons for so doing, remove all appointed and elected members of such Board and direct that the vacancies shall thereupon be filled by election in respect of elected members and by appointment in respect of appointed members or that all the vacancies shall be filled by appointment.

[Cf. Mad.
Act VIII of
1920, s. 23.]

(2) From the date of an order under sub-section (1) until the vacancies are filled—

[Cf. Ben.
Act V of
1919, s.
57.]

- (a) all powers and duties of the Board shall be exercised and performed by, and
- (b) all property vested in the Board shall vest in,

such person, in such manner, as the Local Government may direct.

Duties of
Boards.

20. (1) It shall be the duty of every Board—

[Cf. Mad.
Act VIII of
1920, s. 24.]

- (a) to prepare and maintain a register showing all primary schools within the district, and the accommodation available therein;
- (b) to tabulate such further information and to prepare such plans or maps as may be necessary to enable the Board to frame an estimate of the existing provision for primary education and of the further provision necessary to place primary education within the reach of all children;
- (c) to prepare in consultation with the Union Board or Panchayat concerned schemes for the extension of primary education within the area under the authority of such Union Board or Panchayat;
- (d) to arrange, in consultation with the Union Board or Panchayat concerned and with other educational agencies, for the opening of additional primary schools and the expansion of existing primary schools with a view to giving effect as funds permit to such schemes;
- (e) to maintain all primary schools under public management in the district;
- (f) to construct and repair primary schools throughout the district either directly or through the agency of Union Boards and Panchayats;
- (g) to manage either directly or through the agency of Union Boards and Panchayats all primary schools under public management in the district;
- (h) to appoint and fix and pay the salaries of teachers in primary schools;
- (i) subject to prescribed conditions, to maintain and manage all public institutions for the training of teachers in primary schools;
- (j) to grant recognition to schools in accordance with the provisions of section 47;

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter II—The District School Board—Clauses—
21—23.)*

- (k) to make grants in the prescribed manner for scholarships and stipends for primary schools and training schools for teachers in primary schools;
- (l) to consider and pass orders on all applications under section 48 for grants-in-aid on behalf of primary schools under private management;
- (m) to disburse all sanctioned grants-in-aid to primary schools under private management;
- (n) to prepare and maintain a register of all trained and certificated teachers employed in primary schools in the district;
- (o) to prepare and transmit to the Director of Public Instruction proposals for increasing the supply of trained and certificated teachers;
- (p) to advise upon all matters relating to primary education referred to the Board by the Director of Public Instruction;
- (q) subject to the prescribed conditions,—
 - (i) to grant pensions and gratuities to,
 - (ii) to form and manage a provident or annuity fund for,
 - (iii) to compel contributions to such fund from, and
 - (iv) to supplement the contributions to such fund of,

the establishment of the Board and teachers in primary schools.

(2) The register referred to in clause (a) of subsection (1) shall be maintained and the information referred to in clause (b) thereof shall be tabulated separately for each area under the authority of a Union Board or Panchayat within the jurisdiction of the Board.

Reports to be made by Board.

21. Every Board shall in each financial year—

[*Cf. Mad. Act VIII of 1920, s. 25.*]

- (i) frame and transmit to the Director of Public Instruction, by such date and in such form as he may direct, a statement showing for its district—
 - (a) the names of primary schools under private management for which grants-in-aid have been sanctioned for that year; and
 - (b) the amount of the grant which has been sanctioned for each such school;
- (ii) furnish a report to the Director of Public Instruction, by such date and in such form as he may direct, exhibiting the grants-in-aid which it has distributed to schools within the district.

Board to furnish other prescribed reports.

22. Every Board shall prepare and transmit to the Director of Public Instruction such further reports and statements as may be prescribed.

[*Cf. Mad. Act VIII of 1920, s. 26.*]

Power of Board to appoint, punish and dismiss its officers and servants.

23. (1) With the sanction of the Local Government, a Board may appoint such staff of officers and servants as it may consider necessary to carry out its duties under this Act, and, subject to the prescribed conditions, may fix and pay salaries to such staff.

[*Cf. Ben. Act V of 1919, s. 36.*]

(2) Subject to the prescribed conditions, a Board may punish or dismiss members of its staff.

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter III—Cess and Tax for Primary Education—
Clauses 24—28.)***CHAPTER III.****Cess and Tax for Primary Education.**Levy of
primary
education cess.

24. (1) In any district in which the provisions of this Chapter are in force, all immovable property on which the road and public works cesses are assessed according to the provisions of the Cess Act, 1880, shall be liable to the payment of a primary education cess.

Ben. Act
IX of 1880.

(2) The primary education cess shall be levied at the rate of five pice on each rupee of annual value of land and of annual net profits from mines, quarries, tramways, railways and other immovable property as determined under the Cess Act, 1880.

Payment of
cess.

25. (1) Except as otherwise provided in this Act the primary education cess shall be paid to the same persons in the same manner and at the same time as the road cess and public works cess are paid under the Cess Act, 1880.

(2) Every holder of an estate shall yearly pay to the Collector the entire amount of the primary education cess calculated on the annual value of the lands comprised in such estate at the rate provided in sub-section (2) of section 24 less a deduction to be calculated at one pice for every rupee of the revenue entered in the valuation roll of such estate as payable in respect thereof.

(3) Every holder of a tenure shall yearly pay to the holder of the estate or tenure within which the land held by him is included the entire amount of the primary education cess calculated on the annual value of the land comprised in his tenure at the rate provided in sub-section (2) of section 24 less a deduction to be calculated at one pice for every rupee of the rent payable by him for such tenure.

(4) Every cultivating *raiyat* shall pay to the person to whom his rent is payable four-fifths of the said primary education cess calculated at the rate provided in sub-section (2) of section 24 upon the rent payable by him or upon the annual value, as ascertained under the provisions of the Cess Act, 1880, of the land held by him.

Proceeds of cess
to be paid into
District Primary
Education Fund.

26. The proceeds of the primary education cess in each district shall be paid by the Collector into the District Primary Education Fund of such district.

Ben. Act
IX of 1880.Provisions of
Cess Act, 1880,
to apply to
assessment, etc.,
of education
cess.

27. Subject to the provisions of this Chapter, the provisions of the Cess Act, 1880, shall apply as far as possible to the assessment, levy, payment and recovery of the primary education cess.

Tax on
trade, business
or profession.

28. (1) The District Magistrate or one of his subordinate officers shall from time to time examine the assessment list prepared under section 16 of the Village Chaudidari Act, 1870, and shall consider the assessment made under section 38 of the Bengal Village Self-Government Act, 1919, and, after such inquiry as he considers necessary, shall prepare a list of all persons assessed to pay the chaudiari rate or the union rate, as the case may be, who, in his opinion, have been so assessed wholly or in part in respect of their trade, business or profession.

Ben. Act
VI of 1870.Ben. Act
V of 1919.

(2) The District Magistrate shall assess a tax on each of such persons not exceeding rupees one hundred per annum.

The Bengal (Rural) Primary Education Bill, 1927.

(Chapter III—Cess and Tax for Primary Education—
Chapter IV—District Primary Education Fund—
Clauses 29, 30.)

(3) The amount of tax so assessed shall be communicated to the Union Board or Panchayat concerned, and the Union Board or Panchayat shall collect the tax as if it were the union rate or the chaukidari rate.

(4) Any arrears of the said tax may be recovered by any process enforceable for the recovery of an arrear of union rate or chaukidari rate.

(5) The Union Board or Panchayat shall remit the amount of tax realised under this section to the District Magistrate after deducting 15 per cent. thereof to defray the cost of collection.

(6) The proceeds of the said tax in each district shall be paid by the District Magistrate into the District Primary Education Fund of such district.

Definitions.

29. For the purposes of this Chapter, the expressions "annual value of land", "cultivating raiyat", "estate", "holder of an estate or tenure" and "land" have the same meaning as in section 4 of the Cess Act, 1880.

CHAPTER IV.

District Primary Education Fund.

District
Primary
Education
Fund.

30. (1) There shall be formed for each district in which the provisions of this Chapter are in force, a fund to which shall be credited—

(Cf. Mad.
Act VIII of
1920, s. 28.)

- (i) all sums granted by the Local Government for the payment of grants-in-aid of primary education;
- (ii) all sums granted by the Local Government for the institution and maintenance of primary schools and for the payment of teachers in primary schools;
- (iii) all sums granted by the Local Government for the institution and maintenance of schools for training teachers of primary schools;
- (iv) all sums granted by the Local Government for scholarships for children in primary schools or for stipends for primary school teachers under training;
- (v) the proceeds of the primary education cess levied in the district;
- (vi) the proceeds of the tax imposed under section 28;
- (vii) all income derived from any endowments or other property owned or managed by the Board for the purposes of this Act;
- (viii) the amount of all fines and penalties imposed under this Act;
- (ix) all sums received by the Board under section 42;
- (x) all school fees, if any, collected in primary schools maintained by the Board; and
- (xi) all other sums of money which may be received by the Board under or for the purposes of this Act.

(2) The District Primary Education Fund shall become vested in the Board, be under its control and shall be held by it in trust for the purposes of this Act.

(Cf. Ben.
Act III of
1884, s.
67.)

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter IV—District Primary Education Fund—
Clauses 31—33.)*

Expenditure
from District
Primary
Education
Fund.

31. Except as otherwise provided in this Act, the District Primary Education Fund shall be applicable to the following objects in the following order:—

Firstly—the payment of any sums which the Board may be liable to pay as interest upon loans raised by it for the purposes of this Act and the formation of a sinking fund when required;

Secondly—the payment of the prescribed percentage of the cost of establishments entertained and expenses incurred by the Collector under section 91 of the Cess Act, 1880;

Ben. Act
IX of 1880.

Thirdly—the indemnification of the Collector with the sanction of the Commissioner of the Division from any of the costs, charges and expenses incurred by him under Chapter III;

Fourthly—the payment of the cost or the prescribed percentage of cost of audit;

Fifthly—the payment of salaries of the establishment of the Board and of teachers in primary schools and, subject to the prescribed conditions, of pensions, gratuities and grants made for supplementing contributions to the provident fund of the establishment of the Board and of teachers in primary schools;

Sixthly—the payment of travelling allowance to members of the Board and its establishment as provided in section 10;

Seventhly—the payment of expenses incurred by the Board in the construction, equipment and maintenance of primary schools and schools for training primary teachers; and

Eighthly—generally, the carrying out of the purposes of this Act.

Administration
of District
Primary
Education
Fund.

32. (1) All moneys payable to the credit of the District Primary Education Fund shall forthwith be paid into the prescribed bank or Government treasury.

[Cf. Mad.
Act VIII of
1920, s. 33.]

(2) All orders or cheques upon the said Fund shall be signed by the President or by such person as he may authorise in writing in this behalf.

(3) No money shall be spent from this Fund—

(a) except for the purposes of this Act, and

(b) unless its expenditure is provided for—

(i) in the budget of the Board as approved by the Local Government under sub-section (2) of section 33, or

(ii) by reappropriation in the prescribed manner.

Budget.

33. (1) Every Board shall each year, prepare in the prescribed form a budget of income and expenditure of the Board for the ensuing financial year, and shall submit it to the Local Government through the Director of Public Instruction on or before the thirtieth day of November.

[Cf. Mad.
Act VIII of
1920, s. 33.]

(2) The Local Government may approve of the budget submitted under sub-section (1) with such alterations (if any) as it may think fit.

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter V—Audit—Clauses 34—41.)***CHAPTER V.****Audit.**

Keeping of
Accounts.

34. Accounts of receipts and expenditure of every Board shall be kept in the prescribed manner and form up to the prescribed day in each year. [Cf. 38 and 39 Vict., c. 55, s. 245.]

Accounts to be
audited
annually.

35. The accounts of every Board shall be audited and examined once in every year by such auditor as may be appointed by the Local Government.

Accounts to be
open to
inspection.

36. (1) A copy of the accounts of every Board, duly made up and balanced, shall be deposited in the office of the Board and be open at the prescribed hours to the inspection of all interested persons for seven clear days before the audit; and all such persons may take copies or extracts from the same without fee.

(2) Any officer or servant of the Board who neglects to make up such accounts when directed to do so by the Board or alters them or allows them to be altered after they have been so made up or refuses to allow inspection thereof shall be liable to a fine not exceeding thirty rupees to be imposed by the auditor.

Notice of
audit
to be given.

37. (1) Before each audit the Board shall, after being informed by the auditor of the proposed date of audit, give at least fourteen days' notice of the time and place at which the audit will be made and of the deposit of its accounts as provided by section 36.

(2) Such notice shall be given by posting outside the office of the Board and by beat of drum at the nearest market on market day.

Documents to
be produced
before
auditor.

38. (1) For the purpose of any audit the auditor may by order in writing require the production before him of all books, deeds, contracts, accounts, vouchers, receipts and other documents and papers which he may deem necessary and may require any person accountable for or having the custody or control of the same to appear before him at such audit and to make and sign a declaration as to their correctness or to answer any question or prepare and submit any statement relative thereto.

(2) If such person neglects or refuses to produce such books, deeds, contracts, accounts, vouchers, receipts, documents or papers or to make and sign such declaration or to answer such question or to prepare and submit such statement, he shall be liable for every neglect or refusal to a fine not exceeding twenty rupees to be imposed by the auditor.

Persons
interested
may be present
at audit.

39. Any person interested in the District Primary Education Fund may be present at the audit and may make any objection to the accounts before the auditor.

Powers of
auditor
to certify
sums due.

40. (1) The auditor shall disallow any item of expenditure which is contrary to law and shall give a written certificate that the sum so disallowed is due from the person making or authorising the illegal payment.

(2) If any person entrusted with the duty of accounting for the Board fails to bring any sum into account which ought to have been brought into account and by such default any deficiency or loss is caused to the Board, the auditor shall give a written certificate that the amount of such deficiency or loss is due from the person so defaulting.

Appeal from
orders of
auditor.

41. (1) (a) Any person against whom an order of fine has been passed by the auditor under section 36 or section 38,

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter V—Audit—Chapter VI—Powers and duties of Union Boards and Panchayats—Clauses 42—45.)*

(b) any person who has made an objection under section 39, if such objection has been overruled by the auditor, and

(c) any person from whom any sum has been certified by the auditor to be due under section 40,

may appeal to the Commissioner of the Division against the decision of the auditor and the Commissioner may in appeal give any decision which might have been given by the auditor, and such decision shall be final.

(2) The Commissioner may, in his discretion, order that sums certified to be due under section 40 or sub-section (1) of this section shall not be realised under section 42, and such order shall be final.

Recovery of sums certified due.

42. (1) The amount of any fine imposed by the auditor on any person under section 36 or section 38 and every sum certified to be due from any person by an auditor under section 40 or by the Commissioner of the Division under section 41 shall be paid by such person to the District Primary Education Fund within fourteen days after the making of the certificate or of the order of fine, as the case may be, unless, in the case of a certificate or an order of fine by an auditor, an appeal under section 41 is pending.

(2) If payment is not made in accordance with the provisions of sub-section (1)—

(a) in the case of default by a Government servant or member of the establishment of the Board the sum payable shall be recovered, subject to the prescribed conditions, by deduction from his salary bill, and

(b) in the case of default by any other person the auditor shall forward to the Collector a certificate under his signature specifying the sum payable, and the Collector, on receipt of such certificate, shall proceed to recover the sum as if it were a public demand under the Public Demands Recovery Act, 1913.

Ben. Act III of 1913.

Report of auditor to whom to be submitted.

43. Within fourteen days after the completion of the audit the auditor shall report on the accounts audited and examined and shall forward such report to the Local Government through the Director of Public Instruction and shall forward a copy of such report to the President of the Board concerned, who shall lay it before the Board.

CHAPTER VI.**Powers and duties of Union Boards and Panchayats.**

Delegation of Board's powers to Union Boards and Panchayats.

44. Subject to the prescribed conditions, the Board may delegate all or any of its powers of construction, repair, supervision and management of primary schools to Union Boards in areas in which the Bengal Village Self-Government Act, 1919, is in force, and elsewhere to Panchayats, and thereupon such Union Boards or Panchayats shall, as the agents of the Board and subject to its control, exercise such powers within the area under their authority.

Ben. Act V of 1919.

Panchayat to be a body corporate for purposes of Act.

45. For the purposes of this Act every Panchayat appointed under the Village Chaukidari Act, 1870, shall be a body corporate by the name of "the Panchayat of (name of village)", shall have perpetual

[Cf. Ben. Act V of 1919, s. 18.]
Ben. Act VI of 1870.

The Bengal (Rural) Primary Education Bill, 1927.

(Chapter VI—Powers and duties of Union Boards and Panchayats—Chapter VII—Recognition of and grants-in-aid to Primary Schools—Chapter VIII—Compulsory Education—Clauses 46—50.)

succession and a common seal, and shall by the said name sue and be sued, with power to acquire and hold property, both movable and immovable, and subject to the prescribed conditions, to transfer any property held by it and to contract and to do all other things necessary for the purposes of this Act.

Transfer of property and contract by Union Board.

46. Notwithstanding anything contained in section 18 of the Bengal Village Self-Government Act, 1919, the power of every Union Board to transfer property or to contract shall, for the purposes of this Act, be subject to the prescribed conditions.

Ben. Act V of 1919.

CHAPTER VII.**Recognition of and grants-in-aid to Primary Schools.**

Recognition.

47. (1) If the managing authority of any school desires that such school shall be recognised as a primary school under this Act, it shall submit an application in the prescribed form to the Board through the District Inspector of Schools.

[Cf. Mad. Act VIII of 1920, s. 41.]

(2) The Board may, subject to the prescribed conditions, by an order in writing, grant such application, conditionally or unconditionally, or refuse or defer the grant of recognition.

(3) An appeal shall lie in respect of any order passed under sub-section (2) to the Director of Public Instruction or to any officer subordinate to him, being above the rank of District Inspector of Schools, to whom he may delegate his powers in this behalf in writing.

(4) The Board may recognise any school in the district as a primary school although no application for recognition has been made by the managing authority of such school under sub-section (1).

Grants-in-aid.

48. (1) If the managing authority of any primary school under private management desires that such school shall be granted aid, it shall submit an application in the prescribed form to the Board through the District Inspector of Schools.

[Cf. Mad. Act VIII of 1920, s. 42.]

(2) The Board may, subject to the prescribed conditions, by an order in writing, grant such application, conditionally or unconditionally, or refuse or defer the grant of aid.

(3) An appeal shall lie in respect of any order passed under sub-section (2) to the Director of Public Instruction or to any officer subordinate to him, being above the rank of District Inspector of Schools, to whom he may delegate his powers in this behalf in writing.

CHAPTER VIII.**Compulsory Education.**

Notification by Local Government.

49. If the Local Government, after consulting the Board concerned, is satisfied that there is adequate provision for primary education in any area under the authority of a Union Board or Panchayat, it may, by notification, declare that primary education shall be compulsory within such area.

No fees to be charged.

50. No fee shall be charged by any primary school under public management in any area in which primary education has been declared compulsory under section 49.

[Cf. Mad. Act VIII of 1920, s. 47.]

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter VIII—Compulsory Education—Clauses
51—56.)*

Exemptions.	51. The Local Government may, by notification, exempt from the operation of section 52, section 55 and section 56 any person or class of persons in any area in which primary education has been declared compulsory under section 49.	[Cf. Mad. Act VIII of 1920, s. 48.]
Responsibility of guardians.	52. In any area in which primary education has been declared compulsory under section 49 the guardian of every child resident in such area shall, subject to the exceptions specified in section 53, cause such child to attend a primary school within such area.	[Cf. Mad. Act VIII of 1920, s. 49.]
Conditions exempting from attendance.	53. Attendance at a primary school shall not be compulsory on a child if— (1) there is no primary school within two miles or such less distance as may be specified by general or special order of the Board in this behalf from the residence of the child; (2) the child is under eight years of age and there is no primary school within one mile from the residence of the child; (3) the child is prevented from attending the school by sickness, infirmity or other cause declared by a resolution of the Union Board or Panchayat concerned to be a reasonable excuse for non-attendance; (4) the child is receiving instruction in some other manner approved by the prescribed officer; (5) the child has already received instruction in a primary school or otherwise to the satisfaction of the Board; or (6) the Board has declared that, owing to agricultural operations, children residing in the area under the authority of any Union Board or Panchayat within the jurisdiction of the Board shall be exempt from attendance at a primary school for a period to be specified in the declaration.	[Cf. Mad. Act VIII of 1920, s. 50.]
Attendance Committees.	54. The Union Board or Panchayat concerned shall be responsible for the enforcement of the provisions of section 52, section 55 and section 56 and, subject to the prescribed conditions, shall appoint one or more Attendance Committees for this purpose.	[Cf. Mad. Act VIII of 1920, s. 51.]
Default by guardian.	55. (1) If an Attendance Committee is satisfied that a guardian has, without reasonable excuse and after receiving a written caution from the Committee, failed to comply with the provisions of section 52, it shall send a written complaint against the guardian to a Magistrate having jurisdiction. (2) The Magistrate, if satisfied that the complaint is well-founded, shall direct the guardian to cause the child in respect of whom the complaint was preferred to attend a primary school regularly before a date to be specified in such direction.	[Cf. Mad. Act VIII of 1920, s. 52 (1) and (2).]
Penalty for default.	56. (1) If an Attendance Committee is satisfied that a guardian has without reasonable excuse failed to comply with a direction issued to him under subsection (2) of section 55, it shall sanction his prosecution, and on conviction by a Magistrate such guardian shall be liable to a fine which may extend to five rupees. (2) Any person who has on two or more previous occasions been convicted of an offence under this section shall, on further conviction for such offence, be liable to a fine which may extend to fifty rupees.	[Cf. Mad. Act VIII of 1920, s. 52 (3) and (4).]

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter IX—Religious Instruction—Chapter X—Indemnity—Chapter XI—Rules—Clauses 57—59.)***CHAPTER IX.****Religious Instruction.**

Religious instruction.

57. Subject to the prescribed conditions, provision shall, so far as possible, be made in every primary school for the religious instruction at least once in every week during school hours of every child attending the school in the religion of the guardian of such child:

Provided that, at the request in writing of the guardian of any child, such child shall be exempted from such religious instruction.

CHAPTER X.**Indemnity.**

Indemnity.

58. No suit, prosecution or legal proceeding whatever shall lie against any person in respect of anything which is in good faith, done or intended to be done under this Act. [Cf. Ben. Act III of 1926, s. 9.]

CHAPTER XI.**Rules.**

Power of Local Government to make rules.

59. (1) The Local Government may, after previous publication, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the educational authority referred to in clause (1) of section 2;
- (b) the age limit referred to in clause (3) of section 2;
- (c) the subjects and standards referred to in clause (13) of section 2;
- (d) the manner of election of members of the Board under clause (d) and clause (e) of section 3;
- (e) the manner of election of the President of the Board under sub-section (1) of section 5;
- (f) the amount and manner of payment of travelling allowances under section 10;
- (g) the conditions subject to which Boards under section 11, Panchayats under section 45 and Union Boards under section 46 may transfer property held by them and may contract;
- (h) the number of meetings to be held by Boards, the number of members who constitute a *quorum* thereat, the keeping of minutes of the proceedings thereof and the preparation and custody of registers and records by such Boards;

*The Bengal (Rural) Primary Education Bill, 1927.**(Chapter XII—Repeals and Amendments—Clause 60.)*

- (i) the conditions referred to in clause (i) of sub-section (1) of section 20;
- (j) the manner of making grants under clause (k) of sub-section (1) of section 20;
- (k) the conditions relating to pensions, gratuities and provident or annuity funds referred to in clause (q) of sub-section (1) of section 20 and in clause *Fifthly* of section 31;
- (l) the reports and statements referred to in section 22;
- (m) the conditions of fixation and payment of salaries to the staffs of Boards;
- (n) the conditions of punishment or dismissal of the staff of Boards under sub-section (2) of section 23;
- (o) the percentage of cost of establishments referred to in clause *Secondly* of section 31;
- (p) the percentage of cost of audit referred to in clause *Fourthly* of section 31;
- (q) the bank or Government treasury referred to in sub-section (1) of section 32;
- (r) the manner of reappropriation referred to in sub-clause (ii) of clause (b) of sub-section (3) of section 32;
- (s) the form of budgets prepared by Boards under section 33;
- (t) the manner and form of accounting and the day up to which accounts shall be kept under section 34;
- (u) the hours for inspection of accounts referred to in sub-section (1) of section 36;
- (v) the procedure of auditors and all matters incidental and ancillary to the audit of accounts;
- (w) the conditions of recovery of sums under clause (a) of sub-section (2) of section 42;
- (x) the conditions of the delegation of powers by the Board to Union Boards and Panchayats under section 44;
- (y) the form of application for, and the conditions of grant of, recognition under section 47;
- (z) the form of application for, and the conditions of grant of, aid under section 48;
- (zz) the officer referred to in clause (4) of section 53;
- (zzz) the conditions of appointment of Attendance Committees under section 54; and
- (zzzz) the conditions of provision for religious instruction under section 57.

CHAPTER XII.**Repeals and Amendments.**

Repeals and amendments of certain enactments.

60. The enactments specified in the Schedule shall be repealed or amended to the extent and in the manner mentioned in the fourth column thereof.

*The Bengal (Rural) Primary Education Bill, 1927.**(The Schedule—Enactments repealed or amended.)***THE SCHEDULE.****Enactments repealed or amended.***(See Section 60.)*

Year.	No.	Short Title.	Extent of repeal or amendment.
1	2	3	4
1885	III	The Bengal Local Self-Government Act of 1885.	<ol style="list-style-type: none">1. In section 62 the words "primary and" shall be omitted.2. In clause (a) of section 63 after the words "class of schools" the words "except primary schools recognised under section 47 of the Bengal (Rural) Primary Education Act, 1927" shall be inserted.3. In clause (a) of section 65 after the words "class of schools" the words "except primary schools recognised under section 47 of the Bengal (Rural) Primary Education Act, 1927" shall be inserted.4. Section 112 shall be repealed.5. In clause (g) of section 138 the words "primary schools and" shall be omitted, and for the words and figures "sections 112 and 113" the word and figures "section 113" shall be substituted.
1919	IV	The Bengal Primary Education Act, 1919.	The proviso to sub-section (2) of section 1 shall be repealed.
1919	V	The Bengal Village Self-Government Act, 1919.	<ol style="list-style-type: none">1. In section 32 the words "primary school or" and "primary schools or" where they occur shall be omitted.2. In clause (j) of sub-section (2) of section 101 the words "schools and" shall be omitted.

STATEMENT OF OBJECTS AND REASONS.

It is universally admitted that there is urgent necessity for a great improvement in the condition of primary education in Bengal as the present system makes but little impression on the illiteracy of the province. There is little, if any, definite organisation of the meagre resources that are now available; small schools springing up here and there have a fitful existence for a few years; children attending with no regularity usually leave school before any real progress towards literacy has been made. But above all one finds that the teachers are paid such a miserable pittance that this profession is taken up only as a last resort and by the poorest type.

2. To remedy this state of affairs, some attempts have already been made. In 1919 a Primary Education Bill, of which the author was Mr. Surendra Nath Ray of Behala, was passed, but it has been practically a dead letter, because the necessity of finding funds was left to the option of local bodies. Similarly, the scheme prepared by Mr. Biss under which Government pays half the cost—both capital and recurring—towards primary education in any town or Union has made little headway, because local bodies will not take the responsibility of finding even half the necessary funds. In the light of this experience it is clear that something much more drastic must be tried. Taxation cannot be left to the option of each local authority; it must be compulsory, if any step forward is to be taken for this vital work.

3. The present Bill was based in the first instance on the Madras Elementary Education Act, 1920 (Madras Act VIII of 1920), but differs from that statute in many important features. It is confined to the rural districts of Bengal because both the system of taxation and the system of control must be different in municipalities from that in the country, and even now any municipality, if it cares, has complete power of extending primary education under the Bengal Primary Education Act, 1919 (Bengal Act IV of 1919).

4. The objects of the Bill in brief are—

- (1) to provide a central authority for each district to control primary education,
- (2) to raise the funds necessary to go a long way—if not the whole way—towards universal primary education, and
- (3) to provide for compulsory attendance at school.

5. Chapter II deals with the new controlling body—the District School Board—which has been composed to combine the greatest administrative efficiency with the best local village experience. This body will in the first instance be somewhat under official control, since the start of such a vast scheme would require the best administrative experience available. Nine years after the introduction of the Act it is expected that the scheme will be working in a more or less routine manner so that official control can be greatly relaxed.

6. The first duties of this Board will be to survey the situation and find out exactly how schools must be selected, constructed or enlarged so that the children of the district can have educational facilities in the most economical and efficient manner. Further, the Board will have to train teachers on a large scale for this work and this will have to be taken in hand from the start, because if such teachers are lacking, schools will be of little use. When the schemes and teachers are ready, schools must be erected and teachers selected and paid. From this brief survey of the preliminary work of the Board it is clear that all portions of the Act cannot be brought into use at one and the same time. In all probability there will be no imposition of the cess until at least a couple of years after the introduction of the Act, because it will take at least that time to prepare the schemes and train teachers. For this reason power has been taken to bring the Act into force in whole or in part on different dates in different districts.

7. In this province the greatest difficulty in connection with the advance of primary education has been the want of money; so if any advance has to be made in this direction new money must be found. It is proposed to do this by the levy of a primary education cess on exactly the same lines as the roads and public works cesses, the proceeds of which, amounting to about a crore per annum, will be earmarked for primary education. The cess proposed will fall mainly on the cultivator who will pay four pice in the rupee of rent and partly on the landlord who will pay one pice. As this cess does not touch those who derive income from trade, business or profession, a special section has been introduced to empower each district magistrate to assess people who have incomes derived from sources other than the cultivation of land, so that they too may bear their share of the new taxation.

8. Chapter V makes provision for an annual audit of the accounts of the District School Board and gives the auditor powers of disallowance and surcharge. The provisions of this chapter are largely taken from the English Public Health Act of 1875.

Compulsory education is dealt with in Chapter VIII which empowers Government to enforce the attendance at a primary school of all children except those that are exempted for well-defined reasons, while in answer to the widely-expressed public demand, provision has been made in Chapter IX for the possibility of religious instruction during school hours.

The other features of the Bill are explained in the Notes on Clauses.

B. CHAKRAVARTI,

Member in charge.

DARJEELING :

The 17th June, 1927.

NOTES ON CLAUSES.

Clause 1 extends the Bill to the whole of Bengal outside municipal areas and gives power to the Local Government to bring it into force in whole or in part in such districts and on such dates as the Local Government may direct.

Clause 2 consists of necessary definitions of which the most important is that of "child" which includes both boys and girls.

Clause 3.—By the constitution specified in this clause the non-official element will be at least two-thirds of the Board. The provisos in the clause ensure the diminution of official control when the public has had experience of the scheme.

Clause 4 gives the usual power to the Local Government to appoint members of the Board in default of election.

Clause 5 provides for an appointed President in the first instance and thereafter for one elected by the members of the Board.

Clause 7.—The first sub-clause prescribes how a member may resign and when the resignation shall take effect. The second states the term of office and the third provides for the continuance of the old members in office till the new ones have been actually appointed or elected.

Clause 8.—*Sub-clause (1)* gives the Government the usual power to remove members from the Board in certain circumstances while *sub-clause (2)* gives power to the Government to fix a period during which a person so removed shall not be eligible for re-appointment or re-election.

Clause 9 contains the usual provisions for providing for vacancies in the Board that may arise.

Clause 10 provides for the payment of travelling allowances to certain members of the Board and its establishment. As the majority of the members will come from villages in the interior it is essential that they should be given every facility for attending.

Clause 11.—The incorporation of a Board is necessary in order to carry out the purposes of the proposed Act.

Clause 12 empowers the President or the Vice-President to preside at the meetings, or in their absence, gives the members power to elect one of themselves to preside.

Clause 13 makes the meetings of the Board open to the public. This is intended to attract public interest in these meetings.

Clause 14 contains the usual provision that members shall not vote on matters in which they have a personal or pecuniary interest.

Clause 15 gives power to the President to carry on the executive work of the Board and provides for the delegation of his duties to the Vice-President. Provision has been made in sub-clause (4) for the exercise by the Vice-President of all the functions of the President when the latter's office is vacant.

Clause 16 gives power to the Board to make their own regulations for the ordinary conduct of business at meetings. This clause should be read with clause 59 (2) (g). The more important matters are provided in the latter clause and the rules framed thereunder must be made by Government. In the less important matters the Board is left to make its own regulations. Sub-clause (2) makes it clear that none of the regulations under this clause can override the rules framed by Government.

Clause 17 gives to the Commissioner of a Division power similar to that which he has with regard to municipalities to prevent any action by the Board in excess of powers conferred by law.

Clause 18 empowers the Government to order the Board to perform its duty in case of default; and if necessary to appoint a person to carry out such duty if the Board neglects to carry out the order of the Government.

Clause 19 gives the Government power, if the Board is not performing its duties under the Act, to bring into being a new Board. Sub-clause (2) provides for the interregnum between the supersession of the Board and the filling of the vacancies as a result of fresh nominations or elections.

Clause 20 lays down the duties of the District School Board in the matter of providing for the extension of primary education throughout the district, and in the control thereof either directly or through the agencies of Union Boards and Panchayats. Sub-clause (1) (g) makes provision for pensions and a provident fund for the establishment of the Board and teachers in primary schools.

Clauses 21 and 22 are intended to keep the Government in touch with the progress made in each district.

Clause 23 provides for the appointment of the necessary staff and its control by the District School Board.

Clause 24.—This follows the Bengal Cess Act very closely and the rate of cess prescribed will yield, roughly, one crore of rupees a year.

Clause 25.—This clause is intended to simplify the procedure of the realization of the primary education cess which will be paid automatically along with the road and public works cesses.

Sub-clause (2).—As in the case of the existing cesses the zamindars will pay the entire amount of the cess less the usual deduction of one pice for every rupee of the revenue.

Sub-clauses (3) and (4) provide for payments by the intermediate tenure-holders and the cultivating raiyat.

The cess has been distributed between various parties on two principles: (i) on the benefit received and (2) on the ability to pay. Admittedly, practically the whole benefit will be received by the cultivators of Bengal, while, generally speaking, the cess will press less heavily on them than on the tenure-holders or zamindars. The amount of deduction to which the zamindars and tenure-holders are entitled is based on the portion of the total cess paid by them.

Clause 26.—The provisions of this clause, read with those of clause 32, ensure that the money collected will not be diverted to any purpose other than that of primary education.

Clause 27.—This is a general clause bringing the administration of the new cess within the provisions of the existing Cess Act, 1880.

Clause 28.—As the Cess Act, 1880, only affects the owners or occupiers of real property, it was necessary to bring in some provision to ensure that those whose incomes were derived from trade, business or profession, should not be exempted. For this purpose a summary procedure is proposed, based on the Chaukidari and Union Board assessment. No appeal is allowed from the assessment of the district magistrate but the amount of tax is limited under this clause to Rs. 100 per annum. The amount of tax so assessed shall be communicated to the Union Board or Panchayet for realization just as a precept is sent to the parish council in England by one of the superior authorities.

Sub-clause (4) empowers the Union Boards or Panchayats to recover arrears as in the case of the existing rates. *Sub-clause (5)* should stimulate collections as it allows 15 per cent. of the amount realised to be retained by the local bodies, while *sub-clause (6)* provides that the money will be safely lodged with the Primary Education Fund of the district.

Clause 30 enumerates the various sources of income which may be credited to the District Primary Education Fund including the various Government grants, the proceeds of the primary education cess, and the tax imposed under clause 28 and all other sums that may be credited to this Fund under the provisions of this Bill.

Clause 31 states the objects on which the Fund may be spent. By putting in the forefront the payment of interest upon loans raised for the purposes of the Act, the Board should be able to raise loans when necessary at a very low rate of interest.

The next two payments are connected with the collection of the cess, while the fourth ensures that the all-important work of audit shall not be hampered for want of funds.

Clause fifthly provides for the Board's establishment and the provident fund contributions for all the employees whether clerks or teachers.

Clause sixthly allows for the payment of travelling allowances to the members of the Board and its establishment which will be essential if the local representatives are to take a real part in the working of the Board.

All the above items are for comparatively small sums of money, while the main expenditure will be incurred under clause *seventhly* for the cost of construction, equipment and maintenance of primary schools.

Clause 32.—This clause provides safeguards against the misapplication of the money by ensuring that all sums are promptly credited to the Fund and that payments can be made only on a regular procedure.

Clause 33.—This clause provides for a regular budget being submitted every year so that the Government can see that no Board is misapplying its finances.

Clause 34.—This clause and the succeeding clauses up to 43 follow the provisions of the English Public Health Act of 1875 and have been inserted to ensure that the Primary Education Fund can be diverted from its real object only at considerable personal risk of the person responsible for that diversion—whether he be a Government servant or not.

This clause will enable the accounts of each Board being kept in a uniform manner and in consonance with the general finances of the province.

Clause 35 provides for an annual audit.

Clause 36.—To render the audit effective, it is essential that the accounts should be open to the inspection of the public so that any matters about which there are doubts or suspicions can be brought before the auditor. *Sub-clause (2)* will ensure that the accounts are made up to date.

Clause 37 contains another provision to ensure the publicity of the audit.

Clause 38. *Sub-clause (1)* enables the auditor to call for any document that may be necessary, and gives him power to make his inquiries into the questions that may arise during the audit effective. *Sub-clause (2)* contains a sanction which will lend force to his directions.

Clause 39 will enable any person to bring any objection about the accounts before the auditor.

Clause 40.—Under this clause the auditor shall not only decide whether any money has been properly spent or not, but, if it has been wrongfully spent, he will go a step further and ascertain who is to blame and for what sum he is liable in connection with this action. Under sub-clause (2) the auditor is given similar powers with regard to those who have caused loss to the Board by failing to credit any sums that are due to the Primary Education Fund.

Clause 41.—Against the orders of the auditor one appeal will lie and that to the Commissioner of the Division. As this officer knows the circumstances of the district better than any other, he seems to be a suitable person to decide such appeal. Under sub-clause (2) a discretionary power is given to him of condoning offences. In England such power is vested in the Ministry of Health and is very widely exercised in cases where genuine mistakes have arisen and there has been no deliberate dishonesty or gross negligence. Especially on the introduction of the Act when people are still strange to the new procedure and rules for expenditure, it is necessary that the Commissioner of the Division should have wide powers of making allowances for inexperience, etc.

Clause 42.—Under this clause the procedure has been given for the payment of sums certified by the auditor to be due to the District Primary Education Fund, while sub-clause (2) provides for a speedy remedy against all persons who make default of payment.

Clause 43 makes certain that no delay will occur in bringing the results of the audit to the notice of both the Government and the District School Board.

Clause 44 gives power to the District School Board to delegate its powers to Union Boards and Chaukidari Panchayats as their agents for carrying on the work in connection with Primary Education within the area under their control. As the Union Boards and Panchayats vary very greatly in quality, it is clear that such discretion must be left with the central authority in each district. By this means also the funds are concentrated and accounts simplified. Such delegation will doubtless be used as far as possible but it is essential, especially at the start of this scheme, to keep control over procedure within the district as simple and concentrated as possible.

Clause 45.—The incorporation of a Panchayat is necessary under the proposed Act for the purpose of carrying out its functions.

Clause 46 will enable Union Boards to transfer property or contract under certain prescribed conditions.

Clause 47.—This clause enables any school to apply for recognition as a primary school under the Act and empowers schools to appeal to a higher authority if they are dissatisfied with the decisions of the Board.

Sub-clause (4) will enable the Board to recognise at once without waiting for applications all the satisfactory existing primary schools.

Clause 48 makes provision for primary schools, under private arrangement, to obtain grants-in-aid which will enable them to develop their work on their own individual lines.

Clause 49.—Before declaring primary education compulsory within an area, Government must be satisfied that there are schools and teachers sufficient for all the children in the area concerned and must consult the local authority in the area.

Clause 50.—Fees cannot be levied upon children who are compelled by law to attend school and this clause merely enforces that principle.

Clause 51.—Under this clause Government is given the power of exempting persons or classes of persons from the compulsion of sending their children to school. Presumably girls might be exempted at first, while boys would have to attend.

Clause 52.—This lays the duty on the guardian of sending his child to school.

Clause 53 enumerates the cases in which a guardian may be reasonably exempted from taking action under clause 52.

Of these exemptions especial notice should be taken of sub-clause (6). As the children are very largely employed during the special periods of agricultural operations and as such periods vary not only from district to district but within the district, it is necessary to empower the Board to grant exemptions so that all, if necessary, may help their families at this important time.

Clause 54.—This clause puts the responsibility of enforcing attendance on the Union Boards or Panchayats concerned.

Clause 55 prescribes the procedure by which the Attendance Committee can bring cases of default on the part of guardians to the notice of the magistrate. Under sub-clause (2) of this clause the magistrate can direct the attendance of a child at school if he is satisfied that the complaint is well founded.

Clause 56.—This clause takes us a step further when if the action taken both by the Attendance Committee and by the magistrate has failed to force the guardian to present his child at the school, the magistrate can convict the guardian and sentence him.

Clause 57.—In this form and safeguarded by the proviso, it is hoped to provide religious instructions in schools for young children without emphasising religious differences.

Clause 61 contains the usual provision about indemnity.

Clause 62 is the usual clause collecting in one place the various provisions relating to the rule-making powers.

Clause 63 and the Schedule contain the consequential amendments necessary in other enactments.

A. DEC. WILLIAMS,

Secretary to the Bengal Legislative Council (offg.).



The Calcutta Gazette

THURSDAY, DECEMBER 29, 1927.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented to that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 2942L., dated Calcutta, the 22nd December, 1927.—The following Bill which was introduced in the Bengal Legislative Council on the 13th December, 1927, and in regard to which motion was carried at the meeting of the Council held on the 14th December, that the Bill be circulated for the purpose of eliciting opinion, is hereby published for general information together with the Statement of Objects and Reasons annexed thereto. Expressions of opinions by public bodies or by individuals interested in the Bill should be sent so as to reach the undersigned before the 15th February, 1928 :—

THE CALCUTTA UNIVERSITY BILL, 1927.

A

BILL

to amend the law relating to the University of Calcutta.

WHEREAS it is expedient to amend the law relating to the Calcutta University; It is hereby enacted as follows :

1. (1) This Act may be called the Calcutta University Act, 1928.

(2) It extends to the whole of Bengal.

(3) It shall come into force on the first day of March, 1928.

(Sections 2—7.)

2. The Indian Universities Act, 1904, hereinafter referred to as the said Act, shall, in its application to Bengal, be amended in the manner hereinafter provided.

3. To section 4, sub-section (1), clause (d), the following shall be added after sub-clause (iii), namely:—

“and in the case of the University of Calcutta,

- (iv) elected by the Professors and Lecturers in Colleges affiliated to the University;
- (v) elected by the Professors and Lecturers appointed and paid by the University;
- (vi) elected by the graduate teachers in schools recognised by the University;
- (vii) elected by the members of the Bengal Legislative Council; and
- (viii) elected by the members of the Municipalities and District Boards in the Presidency of Bengal.

4. In section 4, sub-section (4) of the said Act, after the word “either” and before the word “class,” the following words shall be inserted, namely:—
“(or any).”

5. To section 5, after sub-section (2) Proviso of the said Act, the following words shall be added, namely:—This sub-section and Proviso shall not apply in the case of the University of Calcutta.

6. In section 6, sub-section (1), after the words “of such number,” the following words shall be inserted, namely:—“except in the case of the University of Calcutta.”

7. To section 6, sub-section (1), of the said Act, the following shall be added, namely:—

“(1A) In the case of the University of Calcutta, of such number (not exceeding one hundred)—

- (a) twenty-five shall be elected by registered graduates;
- (b) fifteen shall be elected by the Faculties;
- (c) fifteen shall be elected by the Professors and Lecturers in Colleges affiliated to the University, of whom not less than five shall be Principals of such Colleges;
- (d) ten shall be elected by the Professors and Lecturers appointed and paid by the University;
- (e) five shall be elected by the graduate teachers in schools recognised by the University;
- (f) four shall be elected by the non-official members of the Bengal Legislative Council;
- (g) one shall be elected by the Aldermen and elected Councillors of the Corporation of Calcutta, and five shall be elected by the elected members of the Municipalities and District Boards in the Presidency, Burdwan, Dacca, Rajshahi and Chittagong Divisions of Bengal;
- (h) and the remainder shall be nominated by the Chancellor.

(Sections 8—14.)

8. In section 7, sub-section (2), clause (b) of the said Act, for the words "such amount as may be prescribed by the regulations," the words "two rupees" shall be substituted.

9. In section 7, sub-section (2), clause (b) Proviso of the said Act, for the words "and of such further sum as may be prescribed by the regulations," the words "and of the further payment of two rupees" shall be substituted.

10. In section 7, sub-section (3), of the said Act, for the words "of such amount as may be prescribed by the regulations," the words "two rupees" shall be substituted.

11. In section 7, sub-section (3), Proviso of the said Act for the words "prescribed in this behalf by the regulations" the words "of fifty rupees" shall be substituted.

12. After section 9 and before section 10 of the said Act, the following shall be inserted:

9A. In the case of the University of Calcutta, the election of Ordinary Fellows by the constituencies mentioned in 7 (1A) (c), 7 (1A) (d), 7 (1A) (e), 7 (1A) (f), and 7 (1A) (g) shall be held in accordance with regulations to be framed in this behalf.

13. In the First Schedule to the said Act, under the sub-head University of Calcutta, for the words "The member of the Executive Council.....Department of Education," the following words shall be substituted, namely:—"The Ministers appointed by the Governor to be in charge of the Transferred Departments."

14. To the First Schedule to the said Act, under the sub-head University of Calcutta, after the words "The Principal, Presidency College," the following shall be substituted, namely:—

The Principal, Scottish Churches College, Calcutta.
The Principal, St. Xavier's College, Calcutta.
The Principal, Vidyasagar College, Calcutta.
The Principal, City College, Calcutta.
The Principal, Ripon College, Calcutta.
The Principal, Bangabasi College, Calcutta.
The Principal, Asutosh College, Calcutta.
The Principal, Sanskrit College, Calcutta.
The Principal, Islamia College, Calcutta.
The Principal, St. Paul's College, Calcutta.
The Principal, University Law College, Calcutta.
The Principal, Medical College, Calcutta.
The Principal, Carmichael Medical College, Calcutta.
The Principal, Bengal Engineering College.
The Principal, Hughli College.
The Principal, Serampore College.
The Principal, Wesleyan Mission College, Bankura.
The Principal, Krishnath College, Berhampore.
The Principal, Rajshahi College.
The Principal, Chittagong College.
The Principal, Anandamohan College, Mymensingh.
The President, Council of Post-Graduate Teaching in Arts, Calcutta University.
The President, Council of Post-Graduate Teaching in Science, Calcutta University.
The member of the Bengal Legislative Council representing the Calcutta University Constituency.

STATEMENT OF OBJECTS AND REASONS.

The present constitution of the Calcutta University is based mainly on Act VIII of 1904. This measure evoked a great deal of opposition at the time of its enactment. Since then, considerable progress has been achieved in all the branches of educational activity. The conditions in this province have also undergone change in various respects. It is now felt that the Indian Universities Act of 1904 is wholly unsuited to the needs of the present day. Evidence of this is furnished by the fact that it has been found necessary to amend the law relating to Universities in several of the provinces. It can hardly be denied that the existing constitution of the Senate of the University is not representative. The law provides for eighty per cent. of its members being nominated by the Chancellor. Only ten per cent. of the total strength of the Senate is elected by the registered graduates. Even this limited right is, on account of the high fee payable for registration, availed of by a small proportion of the educated community. There is no scope for the adequate representation of the general public interested in education or of teachers in non-Government colleges and schools. This Bill seeks to remedy these defects. It also attempts to provide a constitution for the University which is calculated to enable this body to perform its functions independently of outside control and promote the best interests of the people of the province.

PRAMATHANATH BANERJEA,

Member-in-charge.

CALCUTTA:

The 15th November, 1927.

J. BARTLEY,

Secretary to the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 2941L., dated Calcutta, the 22nd December, 1927.—The following Bill which was introduced, in the Bengal Legislative Council on 14th December, 1927, and in regard to which motion was carried, on the same day that the Bill be circulated for the purpose of eliciting opinion, is hereby published for general information together with the Statement of Objects and Reasons annexed thereto. Expressions of opinions by public bodies or by individuals interested in the Bill should be sent so as to reach the undersigned before the 15th February, 1928 :—

THE CALCUTTA UNIVERSITY
BILL, 1927.

A

BILL

*to amend the Indian Universities Act (VIII of 1904),
so far as it applies to the University of Calcutta,
within the Presidency of Bengal.*

WHEREAS the University of Calcutta was established and incorporated on the 24th January, 1857, for the better encouragement of Her late Majesty's subjects of all classes and denominations within the Presidency of Fort William in Bengal and other parts of India in the pursuit of a regular and liberal course of education;

And whereas the scope and the constitution of the University have been altered from time to time, substantial changes having been effected by the Indian Universities Act (VIII of 1904);

And whereas for the progressive development of the University as a powerful factor in the life of the nation it is essential that the University should be brought into intimate touch with public opinion and should be largely placed on democratic basis;

And whereas it is expedient in the reconstruction of the University to give due representation to the various interests in the University, it is hereby enacted as follows :—

1. (a) This Act may be called the Calcutta University Act, 1927.

(b) It shall come into force on the 1st April, 1928.

2. (a) The word "University" wherever used in this Act shall mean the Calcutta University.

(b) The expressions, "Professors" and "teachers" used in this Act shall be defined by the Senate of the University after the passing of this Act.

3. For section 4, sub-section (I), clause (d), the following be substituted :—

- "(d) (i) elected by the Professors and the teachers appointed and paid by the University;
- (ii) elected by the Principals of the Colleges affiliated to the University;
- (iii) elected by the teachers in the Colleges affiliated to the University;
- (iv) elected by the Graduate teachers in schools recognised by the University;
- (v) elected by the registered graduates of the University;

(Clauses 4—6.)

- (vi) elected by the non-official members of the Bengal Legislative Council;
- (vii) elected by the District Boards and the Municipalities in Bengal;
- (viii) elected by associations or other public bodies;
- (ix) elected by the benefactors or donors;
- (x) nominated by the Chancellor;
- (xi) nominated by the Chief Justice of Bengal."

4. For section 4, sub-section (4) the following be substituted:—

"(4) No Act done by the University shall be invalid by reason only of any vacancy among any class of Fellows, or by reason of any want of qualification by, or invalidity in the election, appointment or nomination of any Fellow."

5. (a) The words "or added to the said list under sub-section (2)" in section 5, sub-section (1) be omitted.

(b) Section 5, sub-section (2) be omitted.

6. For section 6, sub-section (1) the following be substituted:—

"(1) The number of ordinary Fellows shall be one hundred, and of this number eighty shall be elected and twenty shall be nominated.

(1A) Of the eighty elected ordinary Fellows—

- (a) ten shall be elected by Professors and teachers appointed and paid by the University from among themselves;
- (b) ten shall be elected by the Principals of Colleges affiliated to the University from among themselves, which ten shall include at least one Principal of a College affiliated to the University up to the Degree standard in each one of the following Faculties, (i) Arts, (ii) Science, (iii) Law, (iv) Medicine, (v) Engineering, and at least two Principals of Colleges affiliated to the University outside Calcutta;
- (c) fifteen shall be elected by teachers in the Colleges affiliated to the University from among themselves, which fifteen shall include at least three teachers in the Colleges affiliated to the University outside Calcutta;
- (d) five by the Graduate teachers in schools recognised by the University from among themselves, which five shall include at least two Head Masters in such schools;
- (e) twenty shall be elected by registered Graduates of the University from among themselves;
- (f) seven shall be elected by the non-official members of the Bengal Legislative Council from among themselves;
- (g) five shall be elected by the District Boards and the Municipalities, the elected members in the District Boards and Municipalities in each of the five Divisions of Bengal electing one Fellow from among themselves;
- (h) five shall be elected by Associations or public bodies specified in the Second Schedule, each Association electing one Fellow;
- (i) not more than three shall be elected by benefactors (or donors) who have made donations of the value of Rs. 10,000 or upwards.

(Clauses 7—11.)

(1B) Of the twenty nominated ordinary Fellows, seventeen shall be nominated by the Chancellor and three Judges of the High Court shall be nominated by the Chief Justice of Bengal."

7. Section 6, sub-sections (3) and (4) be omitted.

8. Add the following new section after section 7:—

"7A. (1) As soon as the Bengal Legislative Council is newly formed by a general election, the non-official members thereof shall elect seven Fellows. Persons so elected shall continue to be Fellows till the next General Election unless they have in the interval ceased to be members of the Council by death, resignation or other causes.

(2) Fellows elected by the District Boards and Municipalities shall cease to be Fellows when they cease to be members of the District Board or the Municipality as the case may be."

9. For section 9 the following be substituted:—

"9. (1) Once in every year on such date as the Chancellor may appoint in this behalf there shall, if necessary, be an election to fill any vacancy among the ordinary Fellows elected by (i) the Professors and teachers appointed and paid by the University, (ii) the Principals in the Colleges affiliated to the University, (iii) the teachers in the Colleges affiliated to the University, or (iv) the Graduate teachers in the schools recognised by the University.

(2) The election of ordinary Fellows by the teachers in the Colleges affiliated to the University shall be so held as to secure the return of a minimum of—

Three Teachers in Arts;
Three Teachers in Science;
Three Teachers in Law;
Three Teachers in Medicine;
Two Teachers in Engineering."

10. Add the following new section after section 9:—

"9A. Regulations shall be framed by the Senate after the passing of this Act providing for the maintenance of six different registers of (i) Professors and teachers appointed and paid by the University, (ii) Principals of Colleges affiliated to the University, (iii) teachers in the Colleges affiliated to the University, (iv) Graduate teachers in the schools recognised by the University, (v) elected members of District Boards and Municipalities, and (vi) benefactors making donations of the value of Rs. 10,000 or upwards and the time and method of election by the different constituencies and like matters relating to procedure, not otherwise provided for in this Act.

Explanation.—The Secretaries of the Post-Graduate Council, Science and Arts shall be deemed to be Principals."

11. For section 10, the following be substituted:—

"10. The nominations by the Chancellor may be made with a view to secure representation of minorities or courses of study not otherwise adequately represented or the appointment of persons who are eminent for their attainment in any branch of learning or have

(Clauses 12—14.)

rendered eminent services to education. The Chancellor may at any time call upon the Syndicate of the University to propose for nomination, persons who may fall within one or more of the categories mentioned in this section."

12. Add the following new section after section 10:—

"10A. All persons who are either *ex-officio* or nominated or elected Fellows of the University at the commencement of the Act, under the provisions of any Act or Acts in force before the commencement of this Act, shall continue to be Fellows till the first elections by the different constituencies have been held and the first nominations have been made under the provisions of this Act."

13. Add the following new section after section 11:—

"11A. (1) At or about the end of the third year from the first elections or nominations under this Act, the names of, as early as may be, one-fifth of the total number of each of the eleven classes of ordinary Fellows specified in section 3 of this Act (after deducting the names which have been previously removed by reason of death, resignation or other causes) shall be drawn by lot, and those whose names are so shown shall therefore cease to be ordinary Fellows.

(2) At or about the end of the fourth, fifth and sixth years from the first elections or nominations under this Act, names shall be drawn by lot, in the manner provided in subsection (1), so as to secure that as nearly as may be, one-fifth of the ordinary Fellows in each class, elected or nominated at the first elections or nominations, as the case may be, shall cease to be Fellows in each year.

(3) An ordinary Fellow elected or nominated at the first elections or nominations, as the case may be, who has not previously vacated his Fellowship shall cease to be a Fellow at the end of the seventh year from the first elections or nominations."

14. In the First Schedule (section 5) *ex-officio* Fellows, University of Calcutta, (a) the following be omitted:—

"The member of the Executive Council of the Government of Bengal or the Minister appointed by the Governor to be in charge of the Department of Education.

The Secretary to the Government of Bengal, Education Department.

The Principal, Presidency College."

and (b) the following be added:—

"The Member of the Executive Council of the Government of Bengal in charge of the Department of Finance;

The Ministers of Bengal in charge of transferred subjects;

The Registrar of the Calcutta University;

The Controller of Examinations, Calcutta University;

(Clause 15.)

The Inspector of Colleges, Calcutta University;
 The Vice-Chancellor of the Dacca University;
 The President of the Bengal Legislative Council;
 The Mayor of Calcutta;
 The Director of Industries of Bengal;
 The Director of Agriculture for Bengal;
 The Presidents of the Post-Graduate Councils, Arts
 and Science;
 The representative of the University Constituency
 on the Bengal Legislative Council;
 The representative of the Dacca University Con-
 stituency on the Bengal Legislative Council;
 George V Professor of Mental and Moral Science;
 Minto Professor of Economics;
 Hardinge Professor of Higher Mathematics;
 Carmichael Professor of Ancient Indian History
 and Culture;
 Palit Professor of Chemistry;
 Palit Professor of Physics."

15. Add the following after the First Schedule:—

"Second Schedule.

Bengal Chamber of Commerce;
 Bengal National Chamber of Commerce;
 The State Faculty of Medicines;
 The Sanskrit Association, Calcutta;
 The Department of Arabic and Islamic Studies,
 Dacca."

Enactments repealed.

Year.	No.	Short title.	Extent of repeal.
1904	VIII	The Indian Uni- versities Act.	Section 4, sub-section (1) clause (d). Section 4, sub-section (4). Section 5, sub-section (1), the words "or added to the law list under sub-section (2)." Section 5, sub-section (2). Section 6, sub-section (1), (3), (4). Section 9. Section 10. First Schedule (University of Calcutta) the words, "Member of Executive Council of the Government of Bengal or the Minister appointed by the Governor to be in charge of the Department of Education"; "Secretary to the Government of Bengal, Education Depart- ment"; "Principal, Presi- dency College."

STATEMENT OF OBJECTS AND REASONS.

For some years, it has been widely felt that the Indian Universities Act of 1904 needs substantial alterations. In the Council of State, on the 23rd February, 1921, the Hon'ble Mr. Bhurgre moved that "this Council recommends to the Governor General in Council to take early steps to introduce legislation in order to place the Universities of India on a democratic basis." In the Bengal Legislative Council on the 4th July, 1921, a resolution was carried on the motion of Mr. Jatindra Nath Bose that "this Council recommends to the Government that steps be taken to effect the following changes in the Calcutta University, namely, (a) that at least 80 per cent. of the Fellows of the University should be elected....." During the discussion of this motion in the Bengal Legislative Council, Sir Provash Chunder Mitter (the then Minister of Education) informed the Council that in framing legislation he would be prepared to accept the democratic principle embodied in the motion and the Government would take early steps to modify the constitution of the University in such a way as to make it thoroughly representative of public opinion in Bengal and of various interests which the University has to serve.

This Bill aims at a reconstitution of the Senate on democratic lines and in framing the Bill, due representation has been given to the various teaching interests and the different courses of study. It gives an effective proportion of representation to Graduates. It has also given representation to the Bengal Legislative Council, to other public bodies and Associations, and to benefactors.

The Government has pleaded more than once that "reconstruction along the lines laid down in the University of Calcutta Commission Report has not been possible owing to financial conditions." It is indisputable that requisite funds must be guaranteed before the scheme of reconstruction of such a magnitude as has been outlined by the Commission could be taken in hand, but the amendments intended by this Bill do not require any financial guarantee or readjustment.

MANMATHA NATH ROY,

Member-in-charge.

CALCUTTA:

The 25th November, 1927.

J. BARTLEY,

Secretary to the Bengal Legislative Council.



The Calcutta Gazette

THURSDAY, OCTOBER 27, 1927.

PART V.

Acts of the Indian Legislature assented to by the Governor-General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 22nd September, 1927, and is hereby promulgated for general information :—

ACT No. XXV OF 1927.

An Act further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for a certain purpose.

WHEREAS it is expedient further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Criminal Law Amendment Act, 1927.

Insertion of new section 295A in Act XLV of 1860

2. After section 295 of the Indian Penal Code the following section shall be inserted, namely :—

Deliberate and malicious acts intended to outrage religious feelings of any class, by insulting its religion or religious beliefs.

“295A. Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of His Majesty's subjects, by words, either spoken or written, or by visible representations, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.”

XLV of
1860
V of 1898.

XLV of
1860

Amendment of
Act V of 1898.

3. In the Code of Criminal Procedure, 1898, the following amendments shall be made, namely:—

- (i) in sub-section (1) of section 99A, after the words "His Majesty's subjects" the words "or which is deliberately and maliciously intended to outrage the religious feelings of any such class by insulting the religion or the religious beliefs of that class" shall be inserted, and after the figures and letter "153A" the words, figures and letter "or section 295A" shall be inserted;
- (ii) in section 196, after the word, figures and letter "section 294A" the words, figures and letter "or section 295A" shall be inserted;
- (iii) in the Second Schedule, after the entry relating to section 295 of the Indian Penal Code, the following entry shall be inserted, namely:—

XLV of
1860.

" 295A	Maliciously insulting the religion or the religious beliefs of any class.	Shall not arrest without warrant.	Warrant	Not bailable	Not compoundable.	Imprisonment of either description for two years, or fine or both.	Court of Session or Presidency Magistrate.
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and

- (iv) in the same Schedule, for the entries in the third, fourth, fifth, sixth and eighth columns relating to section 296 of the Indian Penal Code, the following entries shall be substituted, respectively, namely:—

XLV of
1860.

" May arrest without warrant	Summons	Bailable	Not compoundable	Presidency Magistrate or Magistrate of the first or second class."
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W. T. M. WRIGHT,

Secretary to the Government of India (offg.).



The Calcutta Gazette

THURSDAY, NOVEMBER 2, 1927.

PART V.

Acts of the Indian Legislature assented to by the Governor-General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 2nd September, 1927, and is hereby promulgated for general information :—

ACT NO. XI OF 1927.

An Act further to amend the Presidency-towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920, for certain purposes.

WHEREAS it is expedient further to amend the III of 1909.
Presidency-towns Insolvency Act, 1909, and the Provincial V of 1920.
Insolvency Act, 1920, for certain purposes hereinafter appearing ; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Insolvency (Amendment) Act, 1927.

Amendment of section 14, Act III of 1909.

2. Section 14 of the Presidency-towns Insolvency Act, 1909, shall be re-numbered as sub-section (1) of section 14, III of 1909.
and to that section the following sub-section shall be added, namely :—

“(2) A debtor in respect of whom an order of adjudication, whether made under this Act or under the Provincial Insolvency Act, 1920, has been annulled owing to his failure to apply or to prosecute an application for his discharge shall not be entitled to present an insolvency petition without the leave of the Court by which the order of adjudication was annulled. Such Court shall not grant leave unless it is satisfied either that the debtor was prevented by any reasonable cause from presenting or prosecuting his application, as the case may be, or that the petition is founded on facts substantially different from those contained in the petition on which the order of adjudication was made.” V of 1920.

Amendment of
section 21, Act III
of 1909.

3. In sub-section (1) of section 21 of the same Act, after the words "annul the adjudication" the following words shall be added, namely :—

"and the Court may, of its own motion or on application made by the official assignee or any creditor, annul any adjudication made on the petition of a debtor who was, by reason of the provisions of sub-section (2) of section 14, not entitled to present such petition."

Amendment of
section 10, Act V
of 1920.

4. In sub-section (2) of section 10 of the Provincial Insolvency Act, 1920, for the words "made under this Act" the words "whether made under the Presidency-towns Insolvency Act, 1909, or under this Act" shall be substituted. V of 1920.
III of 1909.

Amendment of
section 35, Act V
of 1920.

5. In section 35 of the same Act, after the words "annul the adjudication" the following words shall be added, namely :—

"and the Court may, of its own motion or on application made by the receiver or any creditor, annul any adjudication made on the petition of a debtor who was, by reason of the provisions of sub-section (2) of section 10, not entitled to present such petition."

W. T. M. WRIGHT,

Secretary to the Government of India (offg.).

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 9th September, 1927, and is hereby promulgated for general information :—

ACT NO. XIII OF 1927.

*An Act to amend the Indian Bar Councils Act, 1926,
for certain purposes.*

WHEREAS it is expedient to amend the Indian Bar Councils Act, 1926, for the purposes hereinafter appearing ; It is hereby enacted as follows :— XXXVIII of 1926.

Short title.

1. This Act may be called the Indian Bar Councils (Amendment) Act, 1927.

Amendment of
section 8, Act
XXXVIII of 1926.

2. In section 8 of the Indian Bar Councils Act, 1926 (hereinafter referred to as the said Act), sub-sections (3), (4) and (5) shall be renumbered as sub-sections (5), (6) and (7), respectively, and after sub-section (2) the following sub-sections shall be inserted, namely :— XXXVIII of 1926.

“(3) Entries in the roll shall be made in the order of seniority, and such seniority shall be determined as follows, namely :—

(a) all such persons as are referred to in clause (a) of sub-section (2) shall be entered first in the order in which they were respectively entitled to seniority *inter se* immediately before the date on which this section comes into force in respect of the High Court ; and

(b) the seniority of any other person admitted to be an advocate of the High Court under this Act after that date shall be determined by the date of his admission or, if he is a barrister, by the date of his admission or the date on which he was called to the Bar, whichever date is earlier :

Provided that, for the purposes of clause (b), the seniority of a person who before his admission to be an advocate was entitled as of right to practise in another High Court shall be determined by the date on which he became so entitled.

(4) The respective rights of pre-audience of advocates of the High Court shall be determined by seniority :

Provided that the Advocate General shall have pre-audience over all other advocates, and King's Counsel shall have pre-audience over all advocates except the Advocate General.”

Amendment of
section 9, Act
XXXVIII of 1926.

3. In sub-section (4) of section 9 of the said Act, after the words “any such application” the words “or to prescribe the conditions under which such persons shall be entitled to practise or plead” shall be inserted.

W. T. M. WRIGHT,

Secretary to the Government of India (offg.).

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 21st September, 1927, and is hereby promulgated for general information :—

ACT No. XVIII OF 1927.

An Act further to amend the Indian Succession Act, 1925, and the Married Women's Property Act, 1874.

WHEREAS it is expedient further to amend the Indian Succession Act, 1925, and the Married Women's Property Act, 1874, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Indian Succession (Amendment) Act, 1927.

Amendment of sections 223 and 236, Act XXXIX of 1925.

2. In sections 223 and 236 of the Indian Succession Act, 1925, the words "nor, unless the deceased was a Hindu, Muhammadan, Buddhist, Sikh or Jaina or an exempted person, to a married woman without the previous consent of her husband" shall be omitted.

Insertion of new section 10 in Act III of 1874.

3. After section 9 of the Married Women's Property Act, 1874, the following heading and section shall be inserted, namely :—

"VI.—Husband's liability for Wife's breach of trust or devastation.

Extent of husband's liability for wife's breach of trust or devastation.

10. Where a woman is a trustee, executrix or administratrix, either before or after marriage, her husband shall not, unless he acts or intermeddles in the trust or administration, be liable for any breach of trust committed by her, or for any misapplication, loss or damage to the estate of the deceased caused or made by her, or for any loss to such estate arising from her neglect to get in any part of the property of the deceased."

W. T. M. WRIGHT,

Secretary to the Government of India (offg.).

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislature received the assent of the Governor General on the 21st September, 1927, and is hereby promulgated for general information :—

ACT No. XIX OF 1927.

An Act further to amend the Presidency-towns Insolvency Act, 1909, for certain purposes.

WHEREAS it is expedient further to amend the Presidency-towns Insolvency Act, 1909, for the purposes III of 1909. hereinafter appearing ; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Presidency-towns Insolvency (Amendment) Act, 1927.

Amendment of section 7, Act III of 1909.

2. To section 7 of the Presidency-towns Insolvency Act, 1909 (hereinafter referred to as the said Act), the following proviso shall be added, namely :—

“ Provided that, unless all the parties otherwise agree, the power hereby given shall, for the purpose of deciding any matter arising under section 36, be exercised only in the manner and to the extent provided in that section.”

Amendment of section 15, Act III of 1909.

3. After sub-section (2) of section 15 of the said Act, the following sub-section shall be added, namely :—

“(3) On the making of the order admitting his petition, a debtor shall—

- (a) unless the Court otherwise directs, produce all his books of account, and
- (b) file such lists of creditors and debtors and afford such assistance to the Court as may be prescribed,

failing which the Court may dismiss his petition.”

Amendment of section 36, Act III of 1909.

4. In sub-sections (4) and (5) of section 36 of the said Act, for the words “If, on the examination of any such person, the Court is satisfied,” the words “If on his examination any such person admits” shall be substituted.

Amendment of section 112, Act III of 1909.

5. After clause (k) of sub-section (2) of section 112 of the said Act, the following clause shall be inserted, namely :—

“(kk) filing of lists of creditors and debtors and the affording of assistance to the Court by a petitioning debtor.”

W. T. M. WRIGHT,

Secretary to the Government of India (offg.).